

# FEDERAL REGISTER

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## Title 6—AGRICULTURAL CREDIT

### Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

#### PART 464—TOBACCO

##### Subpart—Tobacco Loan Program

Set forth below is schedule of advance rates, by grades, for the 1959 crop of types 11-14, flue-cured tobacco, under the tobacco loan program formulated by Commodity Credit Corporation and Commodity Stabilization Service, published July 26, 1958 (23 F.R. 5645).

#### § 464.1121 1959 Crop; Flue-cured Tobacco, Types 11-14, Advance Schedule.<sup>1</sup>

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
A1F	82.12	B3LV	62.12
A2F	78.12	B4LV	58.12
A1R	75.12	B5LV	52.12
A2R	70.12	B3LL	58.12
B1L	72.12	B4LL	54.12
B2L	69.12	B5LL	48.12
B3L	67.12	B1F	72.12
B4L	62.12	B2F	69.12
B5L	56.12	B3F	67.12
B6L	49.12	B4F	62.12

<sup>1</sup> The advance rates listed above are applicable only to tied flue-cured tobacco identified on a "Within Quota" (white or green) marketing card; rates for untied flue-cured tobacco similarly identified are five dollars (\$5.00) per hundred pounds less for each grade than for tied tobacco; and rates for tobacco identified on a "Limited Support—Within Quota" (blue) marketing card are 50 percent of the applicable rates for tobacco identified on a "Within Quota" (white or green) marketing card, plus six cents (\$.06) per hundred pounds. The Cooperative Association through which price support is made available is authorized to deduct 12 cents per hundred pounds to apply against overhead costs. Only the original producer is eligible to receive advances. Tobacco graded "W" (unsafe order), "U" (unsound), N2, or No-G will not be accepted.

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
B5F	56.12	B4GK	40.12
B6F	49.12	B5GK	35.12
B3FV	62.12	B6GK	29.12
B4FV	57.12	B4GG	26.12
B5FV	52.12	B5GG	24.12
B1FR	67.12	B6GG	20.12
B2FR	65.12	H1L	74.12
B3FR	62.12	H2L	73.12
B4FR	57.12	H3L	72.12
B5FR	52.12	H4L	70.12
B6FR	45.12	H5L	65.12
B1R	60.12	H6L	59.12
B2R	56.12	H1F	74.12
B3R	52.12	H2F	73.12
B4R	44.12	H3F	72.12
B5R	37.12	H4F	70.12
B6R	30.12	H5F	65.12
B3RV	50.12	H6F	59.12
B4RV	43.12	H3R	66.12
B5RV	36.12	H4R	61.12
B3D	43.12	H5R	55.12
B4D	35.12	H6R	48.12
B5D	29.12	H4K	58.12
B6D	24.12	H5K	52.12
B3KL	52.12	H6K	45.12
B4KL	45.12	C1L	76.12
B5KL	40.12	C2L	74.12
B6KL	31.12	C3L	73.12
B3KF	52.12	C4L	72.12
B4KF	45.12	C5L	70.12
B5KF	40.12	C4LV	65.12
B6KF	31.12	C5LV	60.12
B4KV	43.12	C4LL	60.12
B5KV	36.12	C5LL	56.12
B6KV	29.12	C1F	76.12
B3KR	58.12	C2F	74.12
B4KR	53.12	C3F	73.12
B5KR	47.12	C4F	72.12
B3M	48.12	C5F	70.12
B4M	44.12	C4FV	65.12
B5M	38.12	C5FV	60.12
B6M	30.12	C4KL	57.12
B5RS	33.12	C5KL	52.12
B6RS	27.12	C4KF	57.12
B5GS	31.12	C5KF	52.12
B6GS	25.12	C5KR	54.12
B3GL	58.12	C5M	54.12
B4GL	53.12	X1L	72.12
B5GL	46.12	X2L	71.12
B6GL	43.12	X3L	69.12
B3GF	57.12	X4L	65.12
B4GF	50.12	X5L	56.12
B5GF	45.12	X3LV	60.12
B6GF	38.12	X4LV	54.12
B4GR	42.12	X5LV	45.12
B5GR	36.12	X3LL	55.12
B6GR	29.12	X4LL	50.12

(Continued on next page)

## CONTENTS

	Page
<b>Agricultural Marketing Service</b>	
Rules and regulations:	
Certain fruits grown in designated counties in Washington; expenses and rates of assessment for 1959-60 fiscal period:	
Apricots.....	5686
Cherries, sweet.....	5687
Snap beans for processing; U.S. standards.....	5684
<b>Agricultural Research Service</b>	
Rules and regulations:	
Rust-resistant barberry, mahoberberis, and mahonia plants; administrative instructions designating.....	5686
<b>Agriculture Department</b>	
See also Agricultural Marketing Service; Agricultural Research Service; Commodity Credit Corporation.	
Notices:	
Great Plains area of ten Great Plains States; designation of counties where Great Plains conservation program is specifically available.....	5692
<b>Air Force Department</b>	
Rules and regulations:	
Procurement instructions; general provisions; miscellaneous amendments.....	5671
<b>Atomic Energy Commission</b>	
Notices:	
Stanford University; application for utilization facility license.....	5696
State College of Washington; issuance of construction permit.....	5696
<b>Civil Aeronautics Board</b>	
Rules and regulations:	
Voluntary pilot report of near mid-air collision; rescission of Special Civil Air Regulation No. SR-416.....	5688
<b>Commerce Department</b>	
Notices:	
Cartolano, Thomas V.; report of appointment and statement of financial interests.....	5692

## CONTENTS—Continued



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## CFR SUPPLEMENTS

(As of January 1, 1959)

All Supplements and revised books have been issued and are now available except the following:

Titles 1-3

General Index

Order from Superintendent of Documents,  
Government Printing Office, Washington  
25, D. C.

## CONTENTS—Continued

<b>Commodity Credit Corporation</b>	Page
Notices:	
Sales of certain commodities;	
July 1959 monthly sales list	5690
<b>Rules and regulations:</b>	
Flue-cured tobacco; 1959 crop;	
advance schedule; tobacco	
loan program	5669
<b>Customs Bureau</b>	
Notices:	
Aluminum foil from West Ger-	
many; purchase price possibly	
less than foreign market	
value	5692

### Defense Department

See Air Force Department.

### Federal Aviation Agency

Rules and regulations:

Special civil air regulation; tur-	
bine-powered transport cate-	
gory airplanes of current de-	
sign; correction	5688
Voluntary pilot report of near	
mid-air collision; rescission of	
Special Civil Air Regulation	
No. SR-416	5687

### Federal Power Commission

Notices:

Hearings, etc.:	
Carter-Jones Drilling Co.,	
Inc., et al	5693
Midwestern Gas Transmission	
Co. and Michigan Wiscon-	
sin Pipeline Co	5693
Monla Gas Co., Inc., et al	5694
Public Utility District No. 1 of	
Chelan County, Wash	5695
Walters Drilling Co. et al	5695
Union Electric Co	5695
Land withdrawn in Power Site	
Reserve No. 268 and Project	
No. 866; partial revocation	
of withdrawal	5694

### Fish and Wildlife Service

Notices:

Bristol Bay, Alaska; announce-	
ment of units of fishing gear	5692
<b>Rules and regulations:</b>	
Alaska commercial fisheries;	
Bristol Bay area; additional	
fishing time (2 documents)	5689

### Interior Department

See Fish and Wildlife Service.

### Internal Revenue Service

Rules and regulations:

Wine; miscellaneous amend-	
ments; correction	5689

### Interstate Commerce Commis-

sion

Notices:	
Detroit and Toledo Shore Line	
Railroad Co.; rerouting or	
diversion of traffic	5702
Fourth section applications for	
relief	5702
Motor carrier alternate route	
deviations	5696
Motor carrier applications	5696

### Labor Department

See Wage and Hour Division.

### National Aeronautics and Space Administration

Rules and regulations:

Official seal and insignia	5688
----------------------------	------

### Treasury Department

See Customs Bureau; Internal Revenue Service.

### Wage and Hour Division

Notices:

Learner employment certifi-	
cates; issuance to various in-	
dustries (2 documents)	5702, 5704

## CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.

<b>6 CFR</b>	Page
464	5669
<b>7 CFR</b>	
51	5684
301	5686
1020	5686
1022	5687

### 14 CFR

4b	5688
10	5688
40 (3 documents)	5687, 5688
41 (3 documents)	5687, 5688
42 (3 documents)	5687, 5688
43 (3 documents)	5687, 5688
60 (2 documents)	5687, 5688
1221	5688

### 26 (1954) CFR

240	5689
-----	------

### 32 CFR

1001	5671
------	------

### 50 CFR

104 (2 documents)	5689
-------------------	------

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
X1F	72.12	X5G	30.12
X2F	71.12	P2L	63.12
X3F	69.12	P3L	60.12
X4F	65.12	P4L	50.12
X5F	56.12	P5L	35.12
X3FV	60.12	P2F	63.12
X4FV	53.12	P3F	59.12
X5FV	43.12	P4F	48.12
X4KL	48.12	P5F	30.12
X4KF	50.12	P3G	45.12
X5KF	40.12	P4G	32.12
X4KV	39.12	P5G	22.12
X5KV	27.12	N1L	21.12
X4KR	51.12	N1F	28.12
X3M	51.12	N1R	23.12
X4M	45.12	N1GL	20.12
X5M	38.12	N1GF	25.12
X3G	50.12	N1GR	20.12
X4G	44.12		

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 403, 63 Stat. 1051, as amended, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421, 1423; secs. 125, 70 Stat. 198, 7 U.S.C. 1813)

Issued this 10th day of July 1959.

CLARENCE D. PALMBY,  
Acting Executive Vice President,  
Commodity Credit Corporation.

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# Title 32—NATIONAL DEFENSE

## Chapter VII—Department of the Air Force

### SUBCHAPTER J—AIR FORCE PROCUREMENT INSTRUCTIONS

#### PART 1001—GENERAL PROVISIONS

##### Miscellaneous Amendments

The following miscellaneous amendments are issued to this subchapter:

##### Subpart A—Introduction

1. Section 1001.109-3 is deleted and the following substituted therefor:

§ 1001.109-3 Deviations affecting more than one contract or contractor.

Deviations from Armed Services Procurement Regulation or a Department of Defense directive which affect more than one contract or contractor will be made by the Director of Procurement and Production, DCS/M, Hq USAF, after coordination as to form and legality by the Office of the General Counsel, USAF, consultation with the Office of the Assistant Secretary of the Air Force (Materiel), and prior approval of the Assistant Secretary of Defense (Supply and Logistics). Requests for authority to make such deviations will include complete justification and will be sent through channels, including the Commander, AMC, attn: MCPC.

2. Section 1001.109-4 is added as follows:

§ 1001.109-4 Conflicts between Government-to-Government agreements with ASPR.

Requests for deviation requiring consideration of ASPR Committee under § 1.109-4 of this title, will be forwarded direct to Director of Procurement and Production, Hq USAF, attn: AFMPP-PR-1, with information copy to Commander, AMC, attn: MCPC.

3. Section 1001.109-50 is deleted and the following substituted therefor:

§ 1001.109-50 Deviations from AFPI or AFPC.

(a) Except for deviations from Subpart F, Part 1003 of this chapter, deviations from the requirements of the Air Force Procurement Instructions and an Air Force Procurement Circular will be made only by and with the prior approval of the Office of the Procurement Committee (MCPC), Hq AMC. Requests for authority to make such deviations will include complete justification and will be forwarded through channels to MCPC. Deviations from provisions affecting matters of major policy will be made only after prior coordination with the Director of Procurement and Production, DCS/M, Hq USAF. Deviations from the provisions of Subpart F, Part 1003 of this chapter, Imprest Fund, will be made only by and with the prior approval of the Director of Procurement and Production, DCS/M, Hq USAF. Requests for deviations from Subpart F, Part 1003 of this chapter, will be for-

warded to Hq USAF through Commander, AMC, attn: MCPC.

(b) A record of each deviation from Air Force Procurement Instructions or Air Force Procurement Circular will be maintained by MCPC, Hq AMC. In addition a file will be retained by MCPC on each deviation setting forth the reasons why a deviation was granted.

4. Sections 1001.111, 1001.111-1 and 1001.111-2 are added as follows:

§ 1001.111 Reports of suspected criminal conduct and non-competitive practices.

§ 1001.111-1 Suspected criminal conduct.

Policies and procedures with respect to the debarment, ineligibility, and suspension of bidders are set forth in Subpart F of this part, and Subpart F, Part 1 of this title.

§ 1001.111-2 Non-competitive practices.

(a) See Armed Services Procurement Regulations.

(b) Reports of non-competitive practices will be forwarded through channels, including AMC (MCPI), to the Director of Procurement and Production, DCS/Materiel, Hq USAF, for submission to the Secretary.

(c) See Armed Services Procurement Regulations.

##### Subpart B—Definition of Terms

1. Section 1001.201-9(a)(3) is deleted and the following substituted therefor:

§ 1001.201-9 Sources of supplies.

(a) \* \* \*

(3) Regular dealers in the supplies to be procured, as defined in § 1.201-9(b)(2) of this title.

2. Section 1001.201-54 is deleted and the following substituted therefor:

§ 1001.201-54 Base procurement.

The term "base procurement" means the authorized purchase with appropriated funds, of materials, supplies, and services by an AF installation (normally a base) for its own use or the use of a logistically supported activity. Base procurement is not limited to the immediate geographical area in which the base is located. Pending revision of the Air Force Procurement Instructions, wherever the term "local purchase" is used, it will be deemed to refer to "base procurement."

3. Sections 1001.201-56, 1001.201-57 and 1001.201-58 are deleted and the following substituted therefor:

§ 1001.201-56 Base procurement activity.

The term "base procurement activity" means any AF installation that is engaged in base procurement and is located within the United States, its Territories or possessions. Pending revision of the Air Force Procurement Instructions, wherever the term "local purchase activity" is used it will be deemed to refer to "base procurement activity."

§ 1001.201-57 Foreign base procurement activity.

The term "foreign base procurement activity" means any AF installation that is engaged in base procurement and is located outside the United States, its Territories and possessions and the Commonwealth of Puerto Rico. The term includes air attachés and AF foreign missions.

§ 1001.201-58 AMC field procurement activities.

The term "AMC field procurement activities" means the purchasing and contract administration activities of the air materiel areas located in the United States and Dayton and Memphis AF Depots.

4. Section 1001.201-64 is deleted and the following substituted therefor:

§ 1001.201-64 Purchasing offices.

(a) *Purchasing office.* A purchasing office is any AF installation, activity, or a division office, branch, section or unit of an AF installation or activity, charged with a purchasing or procurement function, including base purchasing and contracting offices.

(b) *Principal purchasing office.* The following are designated as principal purchasing offices of the AF:

(1) Buying divisions of the Directorate of Procurement and Production, Hq AMC.

(2) AMC field procurement activities.

(3) AMC centers.

5. Section 1001.201-65 is added as follows:

§ 1001.201-65 Foreign central procurement activity.

The term "foreign central procurement activity" means any AMC installation that is engaged in central procurement and is located outside the United States, its Territories and possessions and the commonwealth of Puerto Rico.

§ 1001.202 [Deletion]

6. Section 1001.202 is deleted.

##### Subpart C—Basic Policies

1. Section 1001.300 is added as follows:

§ 1001.300 Scope of subpart.

In addition to implementing Subpart C, Part 1 of this title, this subpart sets forth certain general procurement policies of the AF.

§ 1001.302-4 [Amendment]

2. In § 1001.302-4, paragraph (b)(3) is amended by deleting the final sentence thereof.

3. Section 1001.305 is deleted and the following substituted therefor:

§ 1001.305 Specifications.

(a) *General requirement.* It is the duty of the AF personnel charged with responsibility for drafting specifications and item descriptions to assure that they are drafted to state the actual minimum needs of the Government clearly, fairly, and accurately. As a general rule, the specifications or descriptions must define the item to be procured in terms suf-

ficiently definite to assure that every bid complying with the invitation will be for substantially the same product or service. This is necessary to enable all bidders to compete on a common basis and to assure the Government the lowest price obtainable. In particular, specifications or descriptions of equipment which require a part having a specific functional feature should be carefully drawn to reflect the actual needs of the Government; for example, if at the same time the specification is prepared it has been determined that only an automatic transmission would be acceptable, the specification should be so drawn that potential bidders are made aware of that fact. Specifications and purchase descriptions will be prepared with the presumption that the method of procurement will be by formal advertising.

(b) *Necessary limitation.* Specifications or item descriptions which are so clearly directed to the known characteristics and features of one bidder's product as to preclude other companies from submitting responsive bids should not be used. Specifications or descriptions should be drafted to eliminate the restrictive features and to describe the item in a manner which will encourage maximum competition. The question whether specifications or item descriptions are unduly restrictive of competition goes to the essence of the contract and in the event of protest is subject to review by the General Accounting Office. However, in stating the actual minimum needs of the Government, advertised specifications or item descriptions will not be considered unduly restrictive of competition if the product or equipment of one or more manufacturer does not meet these minimum requirements.

(c) *Types of specifications.* The following types of specifications are authorized for use in the order of preference as listed below. These specifications will be considered by all AF personnel as suitable for formally advertised procurement.

(1) *Federal specifications.* Examples are W-R-151, QQ-A-3562, PPP-B-601.

(2) *Fully coordinated military specifications.* Examples are: MIL-C-823B, JAN-I-7, MIL-M-6176.

(3) *Limited coordination military specifications.* (ASG-Aeronautical Standards Group) examples are MIL-F-62188 (ASG), MIL-L-25336(ASG).

(4) *Limited coordinated military specifications (USAF).* Examples are: MIL-S-8750(USAF), MIL-8-8743A (USAF).

(5) *Limited coordinated military specifications (other than USAF).* Examples are: MIL-C-13664(ORD), MIL-C-13745 (Sig C), MIL-V-13612(CE), MIL-R-18059(Aer), MIL-W-19583(Navy), MIL-L-18045C(Ships).

(6) *Specifications of other Government agencies.* Examples are: CAA-293, GSA-312.

(7) *Specifications of non-Government agencies.* These specifications are approved for general use only when listed in ANA Bulletin 147 or ANA Bulletin 343 or if specifically approved for a particular AF use by the appropriate engineering activity.

(d) *Use of Federal specifications.* Under the provisions of section 206(b) of the Federal Property and Administration Act of 1949, Public Law 152 (81st Congress) as implemented by 44 CFR Part 52, 53.11-53.13, all executive agencies are required to use applicable Federal specifications promulgated by the Director, Bureau of Federal Supply. These Federal specifications are listed in a Federal Specifications Index which is available at the Government Printing Office, Washington, D.C.

(e) *Offshore procurement.* Contracting officers accomplishing off-shore procurement are authorized to use, where necessary, such specifications, standards, and purchase descriptions of foreign governments, foreign trade associations, or purchase descriptions developed locally which will be readily understood by foreign vendors, provided adequate measures are taken to insure satisfactory and acceptable products, including standard and interchangeable items, where required.

(f) *Purchase descriptions when no specification is available.* (1) If the item to be procured is not covered by a drawing, plan, or specification, and preparation of such data is not feasible, a description will be prepared and used containing all of the essential requirements to be met by the item. The description should concentrate on the fundamental properties of the item and should be such that any item which has the required fundamental properties can be considered in comparison with other items on the basis of price alone. Such description should contain essential physical and functional characteristics of the item, such as:

- (i) Kind of material.
- (ii) Electrical data, if any.
- (iii) Dimensions.
- (iv) Principles of operation.
- (v) Restrictive or significant environmental conditions.
- (vi) If part of an assembly, the location within the assembly.
- (vii) Essential operating conditions.
- (viii) Special features, if any.
- (ix) Intended use.
- (x) Operation to be performed.
- (xi) Equipment with which the item is to be used.

Repeated use of such a description for large dollar volume purchases of any item other than one of minor significance indicates a need for specification. In those instances, necessary action will be taken to issue an adequate military or Federal specification as appropriate.

(2) The use of a named product "or equal" may be a necessary technique in procurement on some occasions. This technique should be used only as a last resort when an adequate specification or purchase description is not available or cannot feasibly be made available in time for the procurement under consideration. When "or equal" procedure is used, bidders must be given the opportunity to offer substitute items, and such substitute items need not be exact duplicates of those products named. Rather, such items will be considered acceptable if they will perform the functions needed by the Government in essentially the

same manner as the specified products. When the "or equal" provision is used, three commercial products will be listed as part of the descriptions unless this is impossible. See § 1002.2002-3 of this chapter and § 2.201(d) of this title.

(g) *Procurement of replacement spare parts, components, or materials.* (1) *For commercial type items.* Specifications or purchase descriptions are not required for spare parts, components, or materials required for existing stocks of material or for maintenance and operation of established installations, provided the item description used includes the source's part number or drawing number and refers to the model designation and manufacturer's name and address of the equipment with which the item is to be used. The above items will be considered for formal advertising under the conditions described herein only when the items to be procured are predominantly commercial type items and two or more sources of supply are available for competition.

(h) *Adopted specifications.* Many adopted specifications cover several grades or types, and provide for several options in methods of inspection. When such specifications are used, the invitation for bids or request for proposals will state specifically the grade, type, or method of inspection on which bids are to be based.

4. Sections 1001.305-1, 1001.305-2 and 1001.305-3 are added as follows:

#### § 1001.305-1 Exemptions.

See § 1.305-1 of this title.

#### § 1001.305-2 Inadequate specifications.

Section 1001.305(c) provides that the types of specifications listed therein will be considered by all AF personnel as suitable for formally advertised procurement. In the event the specification is proven inadequate by formally advertising with no responsive bids received, the contracting officer will obtain approval for the specific deviations involved from the engineering activity controlling the specification before further procurement action is taken.

#### § 1001.305-3 Packaging, specifications, and requirements.

See § 1.305-3 of this title.

5. Sections 1001.306-2, 1001.306-4 and 1001.306-5 are added, as follows:

#### § 1001.306-2 Place of delivery.

See § 1.306-2 of this title.

#### § 1001.306-4 Commodity description.

See § 1.306-4 of this title.

#### § 1001.306-5 Delivery terms.

When f.o.b. destination is specified, the exact location where supplies are to be delivered should be stated in the invitation for bids, request for proposal, or contract. For example, if the location where supplies are to be delivered is within the physical confines of Charleston Air Force Base, South Carolina, the delivery terms would be: "f.o.b. destination Charleston Air Force Base, South Carolina."

## Subpart D—Procurement Responsibility and Authority

1. In § 1001.451, paragraph (c) is redesignated as paragraph (d) and a new paragraph (c) is inserted therein.

### § 1001.451 Representatives of contracting officers.

(c) A person assigned to and performing his primary duty within a procurement office, who is operating in the capacity of a buyer (i.e., soliciting quotations, opening RFP's, negotiating with contractors, placing calls against Blanket Purchase Agreements (§ 3.606-2(a) of this title), etc.) does not require a written warrant designating him a representative of the contracting officer. Such a person is considered to be in effect an employee of the contracting officer, acting in his behalf and as such has the inherent authority to perform the acts enumerated above.

2. Section 1001.453 is amended as follows:

a. Paragraph (j) and the Note, are deleted, and the following substituted therefor:

### § 1001.453 Delegations of authority.

(j) In the event that a person acts without the requisite authority, his actions may, under certain circumstances, be later ratified. When such ratification is proposed, review and approval of the proposed ratification should be obtained from the appropriate Staff Judge Advocate.

b. The last sentence of paragraph (i) (5) is deleted.

c. Subparagraphs (6) and (7) of paragraph (i) are added as follows:

(6) Except as otherwise authorized, any supplemental agreement definitizing contract change notifications when the contract change notifications being definitized accomplished a change which increased the cost to the Government by more than the dollar limitation regardless of whether there are offsetting credits provided in the same supplemental agreement.

(7) Requirements aggregating more than the dollar amount of the contracting authority delegated will not be broken down into more than one purchase transaction for the purpose of avoiding authority limitations.

d. Subparagraph (4) of paragraph (m) is added as follows:

(4) Contract change notifications issued according to Subpart C, Part 1054 of this chapter.

3. In § 1001.454, paragraph (c) (3) is deleted and reserved. Paragraph (c) (7) is added; paragraphs (c) (4) through (c) (6) and (c) (8) through (c) (12) are deleted, and the following substituted therefor:

### § 1001.454 Authority to designate contracting officers and representatives thereof.

(3) [Reserved]

(4) Commanders and deputy commanders of air materiel areas who may also designate persons not under the jurisdiction of the designating authority, including persons under the jurisdiction of other AF commands, as representatives of contracting officers.

(5) Commanders and deputy commanders of AF depots.

(6) Commanders of separate AMC activities under the direct jurisdiction of the Commander, AMC.

(7) Deputy Directors of the Directorate of Procurement and Production, Hq AMC, who may also designate (i) as contracting officers, persons assigned to any Hq AMC activity, and (ii) as representatives of contracting officers, persons not under the jurisdiction of the designated authority, including persons under the jurisdiction of other AF commands.

(8) Commander and Deputy Commander, Aeronautical Systems Center—AMC.

(9) Commander, Ballistic Missiles Center—AMC, who may also designate persons not under his jurisdiction as representatives of contracting officers. Further redelegation may be made to the Deputy Commander, Ballistic Missiles Center—AMC.

(10) Director, Air Force Academy Construction Agency, who may also designate persons not under his jurisdiction as representatives of contracting officers.

(11) Chief, Electronics Defense Systems Division, who may also designate persons not under his jurisdiction as representatives of contracting officers. Further redelegation may be made to the Deputy Chief, Electronics Defense Systems Division.

(12) Commanders and Deputy Commanders, Air Materiel Forces, who may also designate persons under the jurisdiction of other AF commands as representatives of contracting officers. Further redelegation may be made to commanders of first echelons of command immediately subordinate to the AMF.

### § 1001.455 [Amendment]

4. In § 1001.455, paragraph (a) is deleted and the following substituted therefor:

(a) The Commander, AMC, has delegated, with power of redelegation, to the Director and Deputy Directors of Procurement and Production, Hq AMC, the authority to act for the Secretary of the Air Force or the Assistant Secretary of the Air Force (Materiel) in the following particulars:

5. Section 1001.457 is deleted in its entirety, and the following substituted therefor:

### § 1001.457 Authority to enter into, execute and approve contracts.

(a) The authority to enter into, manually execute or approve contracts has been delegated by the Director of Procurement and Production, Hq AMC, to the persons listed below. Awards made and contracts executed in excess of dollar limitations shown herein or as provided for in paragraph (b) of this section, and §§ 1001.458, 1001.459 and

1001.461, require approval of higher authority as set forth in Subpart E, Part 1053 of this chapter. In this respect, reference should be made to § 1001.480 which offers a ready guide to the delegations of AF procurement authority. Properly authorized letter contracts do not require manual approval, irrespective of dollar amount, except letter contracts for personal and professional services as described in § 1001.458 (See § 1003.405-3 of this chapter).

(1) *Contracting officers of major air commands within the continental United States (except Air Materiel Command).* Authority is limited to making awards and executing contracts involving \$100,000 or less. Commanders of major air commands may further limit the authority, provided such limitations are made uniform throughout the command. Commanders of major air commands have been authorized to make awards and manually approve contracts involving \$100,000 or less, except Commander, Military Air Transport Service, who has been authorized to make awards and manually approve contracts involving \$350,000 or less. Commanders may delegate authority to manually approve certain contracts not below the level of a staff officer responsible for procurement within the headquarters of the first echelon of command immediately subordinate to the major air command.

(2) *Commanders of oversea commands.* May authorize contracting officers, designated by them, to make awards and execute contracts involving \$100,000 or less. Authority to manually approve contracts may be redelegated not below the level of a staff officer responsible for procurement within the headquarters of the first echelon of command immediately subordinate to the major air command.

(3) *Air attachés and chiefs of AF foreign missions.* Authority is limited to making awards and approving contracts involving \$100,000 or less, except Chief, Joint United States Military Group, Spain, who has been authorized to make awards and manually approve contracts involving \$1,000,000 or less. May authorize contracting officers, designated by them, to make awards and execute contracts involving \$100,000 or less.

(4) [Reserved]

(5) *AMC field procurement activities.*

(i) *Contracting officers of AMC field procurement activities.* Authority is limited to making awards and executing contracts involving \$30,000 or less, except that production lists or calls under open contracts may be issued (through administrative contracting officer) to contractors irrespective of estimated dollar amount and that contract change notifications may be issued according to Subpart C, Part 1054 of this chapter, irrespective of dollar amount. AMA and AF depot commanders or directors of procurement and production may further limit the authority. Commander, AMA's, and Dayton AF Depot, with power of redelegation to directors of procurement and production only, have been authorized to: (a) Make awards and manually approve contracts awarded as a result of formal advertising or small business re-

(c) \* \* \*



stricted advertising irrespective of dollar amount (authority to approve supplemental agreements amounting to more than \$1,000,000 which result from the exercise of an option according to § 1002.201-51 of this chapter, is excluded), (b) make negotiated awards and manually approve contracts involving amounts of \$1,000,000 or less, and (c) manually approve contractual instruments which do no more than obligate overruns on cost-plus-a-fixed-fee contracts. Commanders, Shelby and Topeka AF Depots have been authorized to make awards and manually approve contracts involving \$100,000 or less. Commander, Memphis AF Depot has been authorized to make awards and manually approve contracts involving \$350,000 or less and to manually approve contractual instruments which do no more than obligate overruns on cost-plus-a-fixed-fee contracts. Commanders of AF depots may redelegate their authority to directors of procurement and production only. AMA commanders may also redelegate procurement authority to a director of a USAF Logistic Control Group for amounts of \$100,000 or less.

NOTE: The limiting authority up to \$30,000 is not applicable to obligating funds previously committed (but not obligated) in the basic contract (See § 1053.313 of this chapter).

(ii) *Administrative contracting officers.* Authority is limited to: (a) Executing documents establishing prices of calls against open contracts after review and approval, according to the provisions of Subpart F, Part 1055 of this chapter, (b) accomplishing initial pricing and price redeterminations according to § 1003.801-2(a) of this chapter; (c) obligating funds previously committed but not obligated in the basic contract, or in other contractual documents supplementary thereto approved by the designated approving authority, for support items as defined in Subpart F, Part 1055 of this chapter or for other items subject to provisioning action based on the submission of approved provisioning orders, irrespective of total amount, or for contingent items or services based on approved written document(s), work order(s), or invoice(s) irrespective of total amount; (d) obligating funds previously committed whenever additional funds must be obligated as a result of price redetermination negotiations conducted by ACO's and reviewed as set forth in (b) of this subdivision. AMA commanders or their directors of procurement may further limit this authority.

(6) *Base procurement contracting officers of separate AMC installations (excludes AMC field procurement activities, AMFPA, and AMFEA) under the direct jurisdiction of the Commander, AMC.* Authority is limited to making awards and executing contracts involving \$30,000 or less. Commanders of the installations have been authorized to make awards and manually approve contracts involving \$100,000 or less.

(7) *Commander, ARDC,* with respect to research and development contracting matters including authority to: (i) Waive bid, payment, performance, or other bonds (other than for construc-

tion), (ii) administer patent matters incident to R&D contracts, (iii) approve insurance programs and pension and retirement plans of AF contractors, and (iv) approve repricing actions according to paragraph (b) of this section. The authority may be redelegated. A copy of all redelegations by the Commander, ARDC, of any of his research and development procurement authorities will be furnished to the Commander, AMC, attn: MCPP. Limitations of the authority are shown as follows:

(a) This authority does not apply to procurement initiated by Wright Air Development Center (WADC), except for procurements of research and of armament development using 650 series funds. Procurements initiated by WADC for other than research or armament development in the 650 series (primarily development of experimental aircraft and aeronautical items) will be accomplished by WADC's preparing and forwarding a purchase request to AMC Aeronautical Systems Center, for necessary procurement action. Reassignments from WADC to any other component of ARDC of other-than-research responsibilities that involve procurement actions will be subject to prior coordination with the Director of Procurement and Production, Hq AMC.

(b) Make awards and manually approve contracts awarded as a result of formal advertising or small business restricted advertising irrespective of dollar amount (authority to approve supplemental agreements amounting to more than \$1,000,000 which result from the exercise of an option according to § 1002.201-51 of this chapter, is excluded).

(c) Negotiated contracts, involving more than \$1,000,000 for research are subject to review by the Office of the Procurement Committee (MCPC), Directorate of Procurement and Production, Hq AMC, before manual approval by an official duly authorized by the Commander, ARDC.

(d) Negotiated contracts, involving more than \$1,000,000 for other than research (including base procurement) are subject to review by MCPC, Hq AMC, and manual approval by an official duly authorized by the Director of Procurement and Production, Hq AMC.

(e) Manually approve contractual instruments which do no more than obligate overruns on cost-plus-a-fixed-fee contracts.

(8) *Deputy Directors of the Directorate of Procurement and Production, Hq AMC.* Normally, the authority with respect to manually approving contracts, involving \$1,000,000 or less that are subject to manual approval of a duly authorized official of the Directorate of Procurement and Production, Hq AMC, because of limitations on delegated authority, will be exercised by a Deputy Director of the Directorate of Procurement and Production, Hq AMC. Such contracts involving more than \$1,000,000 are normally approved by the Director of Procurement and Production, Hq AMC, but in his absence may be approved by one of the Deputy Directors, or by an individual officially designated as "Act-

ing" in one of the above capacities. For the purposes of the dollar limitations in this subparagraph, acquisition cost on any industrial facilities to be furnished under a facilities contract will be added to the amount of funds being obligated on that contract.

(9) *Commander, AMC Aeronautical Systems Center.* Authority is limited to: (i) Making awards and manually approving contracts awarded as a result of formal advertising or small business restricted advertising irrespective of dollar amount (authority to approve supplemental agreements amounting to more than \$1,000,000 which result from the exercise of an option according to § 1002.201-51 of this chapter, is excluded), (ii) making negotiated awards and manually approving contracts (including facilities contracts) involving amounts of \$1,000,000 or less, (iii) manually approving contractual instruments which do no more than obligate overruns on cost-plus-a-fixed-fee contracts, (iv) manually approving supplemental agreements for engineering changes (this authority may be used in conjunction with other contractual actions which in themselves in the aggregate do not exceed the delegated dollar limitation without further approval), and (v) making awards and manually approving short form facilities contracts using MCP 71-663 contract provisions, irrespective of dollar amount. Authority may be redelegated.

(10) *Commander, AMC Ballistic Missiles Center.* Authority is limited to: (i) Making awards and manually approving contracts awarded as a result of formal advertising or small business restricted advertising irrespective of dollar amount (authority to approve supplemental agreements amounting to more than \$1,000,000 which result from the exercise of an option according to § 1002.201-51 of this chapter, is excluded), (ii) making negotiated awards and manually approving contracts (including facilities contracts) involving amounts of \$1,000,000 or less, (iii) manually approving contractual instruments which do no more than obligate overruns on cost-plus-a-fixed-fee contracts, (iv) manually approving supplemental agreements for engineering changes (this authority may be used in conjunction with other contractual actions which in themselves in the aggregate do not exceed the delegated dollar limitation without further approval), and (v) making awards and manually approving short form facilities contracts using MCP 71-663 contract provisions, irrespective of dollar amount. Authority may be redelegated.

(11) *Director, Air Force Academy Construction Agency.* Make awards and manually approve contracts and modifications thereto for supplies and services involving \$350,000 or less. Contracts in excess of \$350,000 will be subject to manual approval by duly authorized approving officials of the Directorate of Procurement and Production, Hq AMC. Contracting officers of the Air Force Academy Construction Agency are authorized to make awards and manually execute contracts and modifications

thereto involving \$30,000 or less, without approval of higher authority, subject to such limitations as may be imposed by the Director, Air Force Academy Construction Agency.

(12) *Chief, Electronics Defense Systems Division, Hq AMC.* Authority is limited to: (i) Making awards and manually approving contracts awarded as a result of formal advertising or small business restricted advertising, irrespective of dollar amount (authority to approve supplemental agreements amounting to more than \$1,000,000 which result from the exercise of an option according to § 1002.201-51 of this chapter, is excluded), (ii) making negotiated awards and manually approving contracts involving amounts of \$1,000,000 or less, (iii) manually approving contractual instruments which do no more than obligate overruns on cost-plus-a-fixed-fee contracts, and (iv) manually approving supplemental agreements for engineering changes (this authority may be used in conjunction with other contractual actions which in themselves in the aggregate do not exceed the delegated dollar limitation without further approval.) Redelegation may be made to the Deputy Chief, Electronics Defense Systems Division. Contracting officers are authorized to make awards and manually execute contracts and modifications thereto involving \$30,000 or less, without approval of higher authority, subject to such limitations as may be imposed by the Chief, Electronics Defense Systems Division.

(13) *Commanders and deputy commanders, air materiel forces,* for amounts of \$350,000 or less, with power of redelegation to not below the level of a staff officer responsible for procurement within the headquarters of the first echelon of command immediately subordinate to the air materiel force. Contracting officers, under the jurisdiction of the air materiel force, may be authorized to make awards and execute contracts involving \$100,000 or less. Administrative contracting officers under the jurisdiction of the air materiel force may be authorized to exercise the authority described in subparagraph (5) (ii) of this paragraph.

(b) All repricing actions, including, but not limited to, incentive type contracts, FPR-E, and old III's and IV's require manual approval, as follows:

(1) The Director of Procurement and Production, Hq AMC, has limited the authority granted to Commander, ARDC, and AMC activities to execute and manually approve supplemental agreements resulting from repricing actions.

(i) This limitation provides that when the gross redeterminable amount is in excess of \$1,000,000, the repricing action whether involving an increase or decrease will be reviewed by Office of the Procurement Committee (MCPC), Hq AMC, and manually approved by a duly authorized approving official within the Directorate of Procurement and Production, Hq AMC, according to paragraph (a) (8) of this section. The term "gross redeterminable amount" is defined as the maximum amount expendable under the contract and subject to the current repricing action.

(ii) When the gross redeterminable amount subject to current repricing action is not in excess of \$1,000,000 regardless of the amount of increase or decrease brought about by the repricing action, manual approval is delegated to:

(a) Commanders, air materiel areas (ConUS) and Dayton AF Depot with power of redelegation to no lower than the director of procurement and production.

(b) Commander, ARDC, with power of redelegation.

(c) Commander, AMC Ballistic Missiles Center, with power of redelegation.

(d) Commander, AMC/Aeronautical Systems Center, with power of redelegation.

(e) Chief and Deputy Chief, Electronics Defense Systems Divisions, Hq AMC.

(f) Commanders, air materiel forces with power of redelegation to no lower than the director of procurement and production at an overseas air materiel area, except that an increase in price in excess of \$350,000 will be reviewed by MCPC, Hq AMC, and manually approved according to paragraph (a) (8) of this section.

(g) Commander, Memphis AF Depot, with power of redelegation to no lower than the Director of Procurement and Production, except that an increase in price in excess of \$350,000, will be reviewed by MCPC, Hq AMC, and manually approved by a duly authorized approving official within the Directorate of Procurement and Production, Hq AMC.

6. Section 1001.458 is deleted and the following substituted therefor:

§ 1001.458 Manual approval of contracts for services of experts and consultants.

(a) Prior approval in the form of findings and determinations personally signed by the Secretary are required for contracts for the services of experts and consultants entered into by authority of Public Law 600 (79th Congress), act of August 2, 1946, section 15 (60 Stat. 810; 5 U.S.C. 55a); and the current implementing appropriation acts. If the Secretary has made the necessary findings required by law, he may direct others to manually approve contracts for such services. In his findings and determinations made in support of the contracts, the Secretary generally includes a statement that, by his direction, the contracts will be approved by the Commander, AMC, or his designee.

(b) Except for the particular classes covered in § 1001.459, contracts described in this section may be approved by the following persons pursuant to designations by the Commander, AMC:

(1) Director and Deputy Directors of Procurement and Production, Hq AMC.

(2) Commander, ARDC, or his designee for contracts entered into by ARDC. Designees of the Commander, ARDC, may not be other than a staff officer responsible for procurement within Hq ARDC, or within the headquarters of the first echelon of command immediately subordinate thereto.

7. Section 1001.459 is deleted and the following substituted therefor:

§ 1001.459 Manual approval of architect-engineer contracts.

(a) The Commander, AMC, has been authorized to review and approve contracts involving \$1,000,000 or less for architectural and engineering services when findings and determinations authorizing such contracts have been made by the Secretary. Except as otherwise authorized, the authority applies only to contracts written according to the format contained in Subpart QQ, Part 1007 of this chapter. Use of letter contracts is not authorized except as indicated in paragraph (b) (4) of this section.

(b) The authority described in paragraph (a) of this section has been delegated by the Commander, AMC, to the Director of Procurement and Production, Hq AMC, who has further delegated the authority, subject to limitations shown, to the following:

(1) Commanders of AF commands outside the continental United States for contracts involving \$1,000,000 or less, with power of redelegation to the vice commander and a command staff officer responsible for procurement. Commanders, vice commanders, and command staff officers responsible for procurement may further redelegate this authority to the commander of any AF base under their jurisdiction for contracts involving \$5,000 or less.

(2) Commanders of AF commands (other than Air Materiel Command) within the continental United States, with power of redelegation to the vice commander and a command staff officer responsible for procurement for: (i) Contracts involving \$500,000 or less that are authorized by an individual findings and determination, and (ii) contracts involving \$100,000 or less that are authorized by a blanket findings and determination. Commanders, vice commanders, and command staff officers responsible for procurement may further redelegate this authority to the commander of any AF base under their jurisdiction for contracts involving \$5,000 or less, except that Strategic Air Command may also redelegate to the Commander, 16th Air Force for contracts involving \$50,000 or less.

(3) Chief, Joint U.S. Military Group, Spain, for contracts involving \$50,000 or less.

(4) Commander and Deputy Commander, AMC Ballistic Missiles Center, for contracts (including letter contracts) involving \$1,000,000 or less.

(5) Commander and Deputy Commander, AMC Aeronautical Systems Center, for (i) contracts involving \$500,000 or less that are authorized by an individual findings and determination, and (ii) contracts involving \$100,000 or less that are authorized by a blanket findings and determination.

(6) Commanders and deputy commanders of air materiel areas (ConUS), air materiel forces, and Dayton AF Depot, for (i) contracts involving \$500,000 or less that are authorized by an individual findings and determination, and (ii) contracts involving \$100,000 or less that are authorized by a blanket findings and determination.

(7) Commanders and deputy commanders of AF Depots (except Dayton) and air materiel areas under the jurisdiction of an air materiel force for contracts involving \$5,000 or less.

(8) Commander, Wright-Patterson Air Force Base, for contracts involving \$5,000 or less.

8. Section 1001.460 is deleted and the following substituted therefor:

§ 1001.460 Priorities authority — DO ratings and approved DX ratings.

(a) The Commander AMC has been delegated authority with respect to: The DO rating program, and the DX rating program for contracts and orders identifiable to programs of the highest national priority or by subsequent revisions (DoD Master Urgency List) as described in this section. These authorities are to be exercised within the limits of such allocation determinations or other quantitative restrictions as may be established from time to time by proper authority (see § 1.308 of this title). Each person who redelegates the authority will maintain a record of such delegations and limits placed thereon.

(1) Authority to authorize production and construction schedules and to make allotments of controlled materials with respect to contracts to meet authorized DO and DX Industrial Priority Rating Programs for which the Department of Defense is claimant agency and to meet such other programs as may be designated.

(2) Authority to process applications for adjustment or exception under the provisions of DMS Reg. 2 (issued by business and Defense Services Administration, Department of Commerce), and to take final appellate action under that regulation.

(3) Authority to apply, or assign to others the right to apply, DO and DX ratings and allotment numbers and symbols, as the case may be, with respect to contracts to meet authorized programs.

(4) Authority to assign the right to apply DO and DX ratings and allotment numbers to certain prime or subcontractors on orders for delivery of production equipment specifically required to support authorized programs.

(5) Authority to assign the right to apply DO and DX ratings and allotment numbers to certain contractors on orders for delivery of construction equipment for use on construction outside the Continental United States.

(b) The authority has been redelegated by the Commander, AMC to the Director of Procurement and Production, Hq AMC. Further redelegation has been made by the Director of Procurement and Production, Hq AMC, as follows:

(1) The authority set forth in paragraph (a) (1), (2), (3), (4), and (5) of this section to the Commander, AMC Aeronautical Systems Center, with power of redelegation.

(2) The authority set forth in paragraph (a) (3) and (4) of this section to and through successive echelons of command to all contracting officers (includes

procuring and administrative) of the Air Force.

(3) The authority set forth in paragraph (a) (5) of this section, to and through the Commander, AMC Ballistic Missiles Center, and division chiefs of the Directorate of Procurement and Production, Hq AMC, to contracting officers under their jurisdiction.

9. In § 1001.461, the title is revised; paragraph (b) is deleted and a new paragraph (b) is substituted therefor; paragraphs (c) and (d) are added, as follows:

§ 1001.461 Contracts for public utility services extending beyond current fiscal year or including a connection charge in excess of \$5,000.

(b) The authority described in paragraph (a) of this section has been delegated by the Commander, AMC, to the Director and Deputy Directors of Procurement and Production, Hq AMC.

(c) The statute authorizing definite term utility service contracts for periods not exceeding 10 years is Public Law 152 (81st Congress). This statute as well as 10 U.S.C. 2304(a) (10) will be cited on all definite term utility service contracts extending beyond the current fiscal year.

NOTE: Indefinite term utility service contracts as contemplated in Subpart KK, Part 1007 of this chapter (which are in effect until terminated) do not impose any obligation on the Government except as the service is actually used and therefore, do not come within the purview of this section. Such contracts will be approved pursuant to §§ 1001.457 and 1007.3706 of this chapter and will cite only 10 U.S.C. 2304(a) (10) as statutory authority.

(d) Any utility service contract involving a connection charge of \$5,000 or more, including the agreed salvage value, will be submitted to the Commander, AMC, attn: MCPC.

10. Section 1001.462 is added, as follows:

§ 1001.462 Approval of certain PR's and MIPR's:

(a) AMA and AF depot commanders have been authorized by the Director of Procurement and Production, Hq AMC, to sign PR's and MIPR's that are initiated within the AMA or depot directorate of procurement and production and are supported by production program funds administered by that directorate. The authority granted without limitation as to dollar amount involved. AMA and AF depot commanders may further delegate the authority to the following persons, subject to the dollar limitations shown:

(1) AMA or AF depot director of procurement and production—PR's or MIPR's involving \$1,000,000 or less.

(2) Contracting officers under the jurisdiction of the AMA or depot director of procurement and production—PR's or MIPR's involving \$100,000 or less.

(b) Authority to sign PR's and MIPR's initiated within the Directorate of Procurement and Production, Hq AMC, has been delegated to the following persons, subject to the dollar limitations shown:

(1) Chief or deputy chief of initiating division—PR's or MIPR's involving more than \$350,000.

(2) Branch chiefs—PR's and MIPR's involving \$350,000 or less, except that the dollar limitation does not apply to PR's or MIPR's for increases or decreases due to price redetermination.

(3) Section chiefs—PR's or MIPR's involving \$100,000 or less.

(4) Contracting officers—PR's or MIPR's involving \$10,000 or less.

(c) Commander and deputy commander, air materiel forces and AMC centers, have been authorized by the Director of Procurement and Production, Hq AMC, with power of redelegation, to sign PR's and MIPR's without limitation as to dollar amount.

§ 1001.463 [Deletion]

11. Section 1001.463 is deleted and reserved.

12. In § 1001.464, the introductory paragraph is deleted and the following substituted therefor:

§ 1001.464 Delegation to commander, Air Training Command.

In addition to the authorities delegated to him as a commander of a major air command, the Commander, ATC, has been authorized by the Director of Procurement and Production, Hq AMC, to exercise the authorities described below. The authorities may be exercised only with respect to negotiated contracts for procurement of services for special training described in AFR 50-9, administration of resulting contracts will be assigned to the appropriate AMA of the Air Materiel Command, and procurement of services for primary pilot training.

13. In § 1001.465, paragraph (c) is deleted and new paragraphs (c) through (e) are added, as follows:

§ 1001.465 Manual approval of contracts for personal services for air photographic and charting service.

(c) Requests for programming data will be submitted to the appropriate Directorate, Hq USAF, Washington 25, D.C., or to the appropriate AMC organization as follows:

(1) For approved program data affecting production requirements, except as set forth in subparagraph (2) of this paragraph, to the Commander, AMC Aeronautical Systems Center, attn: LMF.

(2) For approved program data affecting production requirements of items where the AMA or the AF depot is assigned prime class procurement responsibility, to the commander of the appropriate AMA or AF depot.

(3) For approved program data affecting use of technical representatives and contract technicians within AMC, to the Commander, AMC, attn: MCMT.

(4) For approved program data affecting use of technical representatives and contract technicians within major commands other than AMC, to the Director of Maintenance Engineering, Hq USAF, attn: AFMME-PD.



(5) For approved depot level maintenance program data affecting production requirements, to the Commander, AMC, attn: MCMP.

(6) For forecasts of industrial facilities deficiencies, to the Commander, AMC Aeronautical Systems Center, attn: LMBI.

(7) For types of program and planning data not specifically listed above, to the Commander, AMC. The office of primary interest at Hq AMC, will contact the appropriate office in Hq USAF, for concurrence or approval, as appropriate.

(d) *Responsibility.* (1) *All AF Personnel.* All AF military and civilian personnel will refrain from releasing to individual business concerns or their representatives any preknowledge that such personnel may possess concerning proposed procurements or purchases of supplies (including construction or maintenance projects) by any AF procuring activity. Such information will be released to all potential contractors at the same time, as nearly as possible, and only through duly designated agencies so that one potential contractor

may not be given an unfair advantage over another. All dissemination of such information will be according to existing authorized procedures and only in connection with the necessary and proper discharge of official duties.

(2) *Approving Activity.* The approving AF activity will insure that the release of programming data, as described in paragraph (b) of this section, to commercial sources is permitted only when thoroughly justified as providing necessary support to the assigned logistical responsibilities of the Air Force and when fully compatible with governing security regulations.

(e) The authority described in paragraph (b) of this section has been delegated by the Commander, AMC, to the following persons:

(1) *Director of Procurement and Production, Hq AMC.* The authority is limited to approval of release of program data affecting production requirements. The authority has been redelegated to the Commander, AMC Aeronautical Systems Center, with power of redelegation.

(2) *Director and Deputy Director of Maintenance Engineering, Hq AMC.* The authority is limited to approval of release of program data affecting utilization of field engineers and technical representatives.

(3) *Commanders of AMA's and AF depots.* The authority is limited to approval of release of program data in those cases where the AMA or AF depot has been assigned prime class procurement responsibility. Release of program data affecting utilization of field engineers and technical representatives is not authorized. The authority may only be redelegated to the AMA or AF depot director of procurement and production.

#### § 1001.467 [Deletion]

14. Section 1001.467 is deleted and reserved.

15. In § 1001.480-2, numbers 1 through 11, 35, 36, 38, and the legend, are deleted, and the following substituted therefor:

#### § 1001.480-2 Redelegation of AF Procurement authorities by the Commander, AMC and the Director of Procurement and Production, Hq AMC.

A Subject and reference	B HQ AMC	C AMA's & AF depots CONUS	D Air materiel forces (AMF) and AMC separate installations	E AF commands CONUS	F AF commands—Overseas air attaches and foreign missions
1. Designate contracting officers and representatives thereof (includes authority to terminate appointments). Reference: § 1001.454.	Comdr, AMC. Power to redelegate: Unlimited. DoPP. Power to redelegate: Unlimited. DDoPP, as stated in § 1001.454(c)(7). Power to redelegate: None. CBMC, as stated in § 1001.454(c)(9). Power to redelegate: DCBMC. CASC and DCASC. Power to redelegate: None. Chief, EDSD, as stated in § 1001.454(c)(11). Power to redelegate: Deputy Chief, EDSD.	Comdr and D Comdr, AMA's as stated in § 1001.454(c)(4). Power to redelegate: None. Comdr and D Comdr, AF Depots. Power to redelegate: None.	Comdr and D Comdr, AMF as stated in § 1001.454(c)(12). Power to redelegate: Comdrs of 1st echelons of command immediately subordinate to the AMF. Comdr, AMC separate activities under direct jurisdiction of Comdr, AMC. Power to redelegate: None.	Comdr. Power to redelegate: 1st echelon staff officers. Director, AF Academy Construction Agency, as stated in § 1001.454(c)(10). Power to redelegate: None.	Comdr, Overseas Commands. Power to redelegate: 1st echelon staff officers. Air Attaches and Chiefs of AF foreign missions. Power to redelegate: None.
2. Issue Letter Contracts. Reference: § 1003.405-3 of this chapter and § 3.405-3 of this title.	DoPP and DDoPP. Power to redelegate: Unlimited. CBMC, no dollar limitation. Power to redelegate: DCBMC. Chief, EDSD, anticipate costs not exceed \$1,000,000. Power to redelegate: Deputy Chief, EDSD. CASC, anticipate costs not exceed \$1,000,000. Power to redelegate: Unlimited.	Comdr AMA's, anticipate costs not exceed \$1,000,000. Power to redelegate: DoPP. Comdr Dayton AF Depot, anticipate costs not exceed \$1,000,000. Power to redelegate: DoPP. Comdr Memphis AF Depot, anticipate costs not exceed \$350,000. Power to redelegate: DoPP.	Comdr, AMF, no dollar limitation. Power to redelegate: 1st echelon staff officer.	Comdr, ARDC, with respect to R&D procurements, no dollar limitation. Power to redelegate: Unlimited. Comdr, Air Training Command, subject to prior authorization by MCPC, Hq AMC. Power to redelegate: 1st echelon staff officer.	Comdr, overseas commands no dollar limitation. Power to redelegate: 1st echelon staff officer. Air Attaches and Chiefs of AF foreign missions, no dollar limitation. Power to redelegate: None.

## RULES AND REGULATIONS

A Subject and reference	B HQ AMO	C AMA's & AF depots CONUS	D Air materiel forces (AMF) and AMO separate installations	E AF commands CONUS	F AF commands—Overseas air attaches and foreign missions
<p>3. Enter into, execute, and approve contracts. Reference: § 1001.457.</p> <p>NOTE: Unless otherwise indicated, the authority vested in contracting officers is limited to making awards and executing contracts.</p>	<p>Comdr, AMO, no dollar limitation. Power to redelegate: Unlimited.</p> <p>DoPP, no dollar limitation. Power to redelegate: Unlimited.</p> <p>DDoPP, normally manual approval \$1,000,000 or less (see § 1001.457(a) (8)). Power to redelegate: None.</p> <p>CASC and CBMC, subject to §§ 1001.457(a) (9) and (10): Formal advertising — Unlimited; Negotiated — \$1,000,000; Overruns on CPFF contracts — Unlimited; Engineering changes — Unlimited; Short form facilities contracts — Unlimited. Power to redelegate: Unlimited.</p> <p>Chief, EDSD, subject to § 1001.457(a) (12): Formal advertising — Unlimited; Negotiated — \$1,000,000; Overruns on CPFF contracts — Unlimited; Engineering changes — Unlimited. Power to redelegate: Deputy Chief, EDSD.</p> <p>Contracting officers, EDSD, \$30,000 or less, subject to such limitations as may be imposed by the Chief, EDSD. Power to redelegate: None.</p>	<p>Comdr, AMA's &amp; Dayton AF Depot subject to § 1001.457(a) (5) (i): Formal advertising — Unlimited; Negotiated — \$1,000,000; Overruns on CPFF contracts — Unlimited. Power to redelegate: DoPP, Director of USAF LCG, \$100,000 or less.</p> <p>Comdr, Shelby and Topeka AF Depots—\$100,000 or less. Power to redelegate: DoPP.</p> <p>Comdr, Memphis AF Depot — \$350,000 or less; Overruns on CPFF contracts — Unlimited. Power to redelegate: DoPP.</p> <p>Contracting officers, \$30,000 or less (see § 1001.457(a) (5) (i) for exceptions). Power to redelegate: None.</p> <p>Administrative contracting officers (see § 1001.457(a) (5) (ii) for specific authorities). Power to redelegate: None.</p>	<p>Comdrs &amp; D Comdrs AMF's, \$350,000 or less. Power to redelegate: 1st echelon staff officers.</p> <p>Contracting officers, AMF's, \$100,000 or less, subject to such further limitations as may be imposed by the Comdr. Power to redelegate: None.</p> <p>ACO's, AMF's (see § 1001.457(a) (5) (ii) for specific authorities). Power to redelegate: None.</p> <p>Comdr, AMC separate install. under the direct jurisdiction of the Comdr, AMO—\$100,000 or less. Power to redelegate: None.</p> <p>Contracting officers, AMO separate install. under the direct jurisdiction of the Comdr, AMO — \$30,000 or less. Power to redelegate: None.</p>	<p>Comdr, \$100,000 or less except Comdr MATS—\$350,000 or less. Power to redelegate: 1st echelon staff officer (approval).</p> <p>Contracting officers — \$100,000 or less, subject to such further limitations as may be imposed by the Comdr, w/o power to redelegate.</p> <p>Comdr, ARDC, for R&amp;D matters, no dollar limitation subject to:</p> <p>(a) Negotiated research contracts in excess of \$1,000,000 require review by Hq AMO (MCPC) and manual approval by an ARDC approving official.</p> <p>(b) Negotiated contracts other than research in excess of \$1,000,000 require review by Hq AMO (MCPC) and manual approval by an AMO approving official.</p> <p>(c) WADC, only for procurement of research and of armament development using 650 series funds.</p> <p>(d) Formal advertising—Unlimited (see § 1001.457(a) (7) (iii)).</p> <p>(e) Overruns on CPFF contracts—Unlimited (see § 1001.457(a) (7) (v)).</p> <p>Power to redelegate: Unlimited.</p> <p>Director, AF Academy Construction Agency \$350,000 or less. Power to redelegate: None.</p> <p>Contracting officers, AF Academy Construction Agency, \$30,000 or less, subject to such limitations as may be imposed by the Director, AFACA. Power to redelegate: None.</p>	<p>Comdrs, overseas commands, no dollar limitation. Power to redelegate: 1st echelon staff officer (approval). Contracting officers for amounts of \$100,000 or less.</p> <p>Air Attaches and Chiefs of AF foreign missions — \$100,000 or less, except JUSMAG-Spain—\$1,000,000 or less. Power to redelegate: Contracting officers for amounts of \$100,000 or less.</p>
<p>4. Make determinations and findings in support of incentive-type, cost-type and CPFF type contracts. Reference: § 1003.303.</p>	<p>Comdr, AMO. Power to redelegate: Unlimited.</p> <p>DoPP. Power to redelegate: Unlimited except to contracting officers for procurement involved.</p> <p>As stated in § 1003.303 (c) and (d):</p> <p>DDoPP. Power to redelegate: None.</p> <p>CBMC. Power to redelegate: Not below the Chief, Procurement Staff Division.</p> <p>Chief, EDSD. Power to redelegate: Deputy Chief, EDSD.</p> <p>CASC. Power to redelegate: Unlimited.</p>	<p>Comdr. Power to redelegate: Not below DoPP.</p>	<p>Comdr &amp; D Comdr, AMF as stated in § 1003.303(e). Power to redelegate: 1st echelon staff officer.</p>	<p>Comdr, ARDC, for R&amp;D (except base procurement). Power to redelegate: Unlimited.</p> <p>Comdr, Air Training Command as stated in § 1001.464. Power to redelegate: Staff officer responsible for procurement within Hq ATC.</p> <p>Director, AF Academy Construction Agency as stated in § 1003.303(e). Power to redelegate: None.</p>	
<p>5. Manual approval of Architect-Engineer Contracts. Reference: § 1001.459.</p>	<p>Comdr AMO and DoPP—\$1,000,000 or less if secretarial F&amp;D has been made. Power to redelegate: As stated in SAFO 640.5.</p> <p>CBMC and DCBMC—\$1,000,000 or less. (includes L/C) subject to § 1001.459. Power to redelegate: None.</p> <p>CASC and DCASC—\$500,000 or less if individual secretarial F&amp;D; \$100,000 or less if blanket secretarial F&amp;D. Power to redelegate: None.</p>	<p>Comdr and D Comdr, AMA's and Dayton AF Depot—\$500,000 or less if individual secretarial F&amp;D; \$100,000 or less if blanket secretarial F&amp;D. Power to redelegate: None.</p> <p>Comdr and D Comdr, AF Depots (except Dayton)—\$5,000 or less subject to § 1001.459. Power to redelegate: None.</p>	<p>Comdr and D Comdr, AMF—\$500,000 or less if individual secretarial F&amp;D; \$100,000 or less if blanket secretarial F&amp;D. Power to redelegate: None.</p>	<p>Comdr—\$500,000 or less if individual secretarial F&amp;D; \$100,000 or less if blanket secretarial F&amp;D. Power to redelegate: V Comdr and command staff officer responsible for procurement. Comdr, V Comdr and command staff officer responsible for procurement to any AF Base under their jurisdiction—\$5,000 or less subject to § 1001.459, except that SAC may also redelegate to Comdr 16th Air Force for contracts involving \$50,000 or less.</p>	<p>Comdr, overseas commands —\$1,000,000 or less if secretarial F&amp;D has been made. Power to redelegate: V Comdr and command staff officer responsible for procurement. Comdr, V Comdr and command staff officer responsible for procurement to any AF Base under their jurisdiction—\$5,000 or less subject to § 1001.459.</p> <p>Chief Joint US Military Group Spain—\$50,000 or less if secretarial F&amp;D has been made. Power to redelegate: None.</p>
<p>6. Manual approval of contracts for services of experts and consultants. Reference: § 1001.458.</p>	<p>Comdr, AMO—subject to prior approval in form of Secretarial F&amp;D. Power to redelegate: Unlimited. DoPP and DDoPP subject to § 1001.458. Power to redelegate: None.</p>		<p>Comdr and D Comdr, AMA's under AMF's—\$5,000 or less subject to § 1001.459. Power to redelegate: None.</p>	<p>Comdr, ARDC, subject to § 1001.458. Power to redelegate: Staff officer responsible for procurement within Hq ARDC: 1st echelon staff officers.</p>	

A Subject and reference	B HQ AMC	C AMA's & AF depots CONUS	D Air materiel forces (AMF) and AMC separate in- stallations	E AF commands CONUS	F AF commands—Overseas air attaches and foreign missions
7. Contractor Overtime Approval, subject to circumstances in § 12.102-4(a) of this title. Reference: § 1012.102.	Comdr. AMC; DoPP; CBMC; CASC. Power to redelegate: None.	Comdr. AMA's, Dayton and Memphis AF Depots. Power to redelegate: None.	Comdr. Wright-Patterson AF Base—\$5,000 or less subject to § 1001.459. Power to redelegate: None.	Comdr. ARDC. Dir of Procurement. Hq ARDC. Power to redelegate: None.	
8. Contracts for Public Utility Services (Power, Gas and water) extending beyond current fiscal year. Reference: § 1001.461.	Comdr. AMC, no dollar limitation, but subject to § 1001.461(a). Power to redelegate: Unlimited. DoPP and DDoPP, no dollar limitation. Power to redelegate: Unlimited.				
9. Make determinations under the "Buy American Act" based on nonavailability of supplies or materials. Reference: § 1006.103-2.	Comdr. AMC. DoPP and DDoPP. CBMC and DCEMC. CASC and DCASC. Div. Chiefs—DoPP, ASC and BMC. Power to redelegate: None may redelegate.	DoPP. Power to redelegate: None.		Director and Deputy Director of Procurement, Hq ARDC. Power to redelegate: None.	
10. Authorize publication of advertisements in newspapers with respect to soliciting bids. Reference: § 1002.202-4.	Comdr. AMC; DoPP and DDoPP; CBMC and DCBMC; CASC and DCASC. Div. Chiefs—DoPP, ASC and BMC. Power to redelegate: None may redelegate.	DoPP. Power to redelegate: None.	DoPP, AMF's. Power to redelegate: None. Comdr. Wright-Patterson AF Base. Power to redelegate: None.	Comdr & V Comdr. Power to redelegate: None.	Comdr & V Comdr of overseas commands. Power to redelegate: None.
11. Make determinations—mistakes in bid prior to award pursuant to § 2.405-2 of this title. Reference: § 1002.405-2.	Staff Judge Advocate. Power to redelegate: None.				
35. Appoint AF emergency facilities depreciation bd. Reference: § 1003.903.	Comdr. AMC. Power to redelegate: DoPP and DDoPP. DoPP and DDoPP. Power to redelegate: None.				
36. Sign applications for permits to procure tax-free or specially denatured alcohol. Reference: § 1011-205(b).	Comdr. AMC. DDoPP. Power to redelegate: None.	DoPP, MAAMA. Power to redelegate: None.			
38. Approve PR's and MIPR's. Reference § 1001.462.	DoPP and DDoPP no dollar limitation. Power to redelegate: Unlimited. Chief or D Chief of Division, no dollar limitation. Branch chiefs, \$350,000 or less. Section chiefs, \$100,000 or less. Contracting officers, \$10,000 or less. Power to redelegate: None may redelegate. CASC and CBMC, no dollar limitation. Power to redelegate: Unlimited.	Comdr, no dollar limitation. Power to redelegate: DoPP \$1,000,000 or less. Contracting officers, \$100,000 or less.	Comdr and D Comdr, AMF, no dollar limitation. Power to redelegate: Unlimited.		

## LEGEND

Comdr. .... Commander.  
V Comdr. .... Vice Commander.  
D Comdr. .... Deputy Commander.  
DoPP. .... Director of Procurement and Production.  
DDoPP. .... Deputy Directors of Procurement and Production.  
CASC. .... Commander, AMC Aeronautical Systems Center.

DCASC. .... Deputy Commander, AMC Aeronautical Systems Center.  
CBMC. .... Commander, AMC Ballistic Missiles Center.  
DCBMC. .... Deputy Commander, AMC Ballistic Missiles Center.  
1st echelon staff officer. .... means the staff officer responsible for procurement with the hq of the first echelon of command immediately subordinate to the activity concerned.

### Subpart F—Debarred, Ineligible, and Suspended Bidders

1. Section 1001.600 is added, as follows:

#### § 1001.600 Scope of subpart.

See § 1.600 of this title.

#### § 1001.601-1 [Amendment]

2. In § 1001.601-1, the last sentence of paragraph (a) is deleted.

3. Sections 1001.601-2 and 1001.601-3 are added, as follows:

#### § 1001.601-2 Information contained in Departmental lists.

See § 1.601-2 of this title.

#### § 1001.601-3 Joint consolidated list.

See § 1.601-3 of this title.

4. Section 1001.601-4 is deleted and the following substituted therefor:

#### § 1001.601-4 Protection of lists.

The list will be classified "For Official Use Only." Related correspondence will be similarly classified unless information therein warrants a security classification.

5. Section 1001.601-5 is added, as follows:

#### § 1001.601-5 Sample list.

See § 1.601-5 of this title.

#### § 1001.601-50 [Deletion]

6. Section 1001.601-50 is deleted.

7. Section 1001.603-1 is deleted and the following substituted therefor:

#### § 1001.603-1 Total restrictions.

(a) The DCS/M, Hq USAF, may, when appropriate, authorize exceptions to the restrictions outlined in § 1.603-1(a) of this title, in instances where firms or individuals have been debarred by the Air Force. In such cases where it is considered necessary or advisable to award a contract to a debarred firm, the contracting officer concerned will submit a written determination to AMC (MCPI) citing complete and detailed justification

for the proposed award. The determination will be based on such factors as (1) urgent delivery schedules or (2) inability to secure the supplies or services from other sources due to lead time, proprietary rights or lack of procurement data. MCPI will recommend to DCS/M, Hq USAF (AFMPP-PR) action to be taken in connection with individual requests for exceptions to restrictions when such action is deemed appropriate.

(b) See § 1.603-1(b) of this title.

(c) DCS/M, Hq USAF, will determine, based on recommendations of MCPI, whether it is in the best interest of the Government to terminate current contracts and/or withhold all or part of funds due firms and individuals appearing on the list. DCS/M, Hq USAF, will request the Air Force Finance Center, Denver, Colorado, to notify all AF finance officers to withhold payments where such action is considered appropriate.

(d) If award of a subcontract to a debarred firm or individual is considered in the best interest of the Government, the administrative contracting officer (ACO), prior to approving such award, will request an exception to restrictions according to the procedures outlined in paragraph (a) of this section. Approval may be granted by MCPI notwithstanding the fact that the firm or individual is carried on the list. Doubtful cases should be referred by MCPI to the DCS/M (AFMPP-PR), Hq USAF, for review and determination. If the prime contract is silent as to approval of subcontracts (or source approval of subcontracts) by the ACO, the prime contractor will not be prohibited from placing a subcontract with a firm or individual on the list. In the case of subcontracts already in effect, prime contractors will not be required by ACO's to terminate subcontracts with a debarred firm or individual unless provisions of a prime contract reserve to the Government such control over subcontracts permitting the Government to require their termination. If the Government has such control, the ACO will decide if termination of a subcontract would be detrimental to the interest of the Government. If the ACO finds that such detriment exists, he will forward his recommendations, with the facts in the case, to the DCS/M (AFMPP-PR), Hq USAF, through the Office of Inspection (MCPI), Hq AMC for review and advice as to further appropriate action.

8. Sections 100.603-2 and 1001.603-3 are added, as follows:

**§ 1001.603-2 Buy American Act restrictions.**

See § 1.603 of this title.

**§ 1001.603-3 Ineligibility restrictions of Walsh-Healey Act.**

See § 1.603 of this title.

9. Section 1001.603-50 is added, as follows:

**§ 1001.603-50 Security clearances.**

(a) Security clearances for facilities or individuals currently appearing on the debarred, ineligible, and suspended list will be initiated only after determination

that the firm or individual concerned will be permitted to bid or submit quotations on classified Department of Defense contracts even though listed as suspended.

(b) If a facility has been issued a facility security clearance and subsequently is listed in the debarred, ineligible, and suspended contractor list, the commander of the major air command assigned security cognizance for that facility under the provisions of AFR 205-9 will reexamine the eligibility of the facility from a security viewpoint with a view to recommending revocation of such clearance.

10. Sections 1001.604, 1001.604-50, 1001.605, 1001.609, 1001.610, and 1001.650 are added, as follows:

**§ 1001.604 Clauses and conditions under which departments may debar contractors.**

**§ 1001.604-1 Causes for debarment.**

See § 1.604 of this title.

**§ 1001.604-2 Period of debarment.**

See § 1.604-2 of this title.

**§ 1001.604-3 Notice of debarment.**

The Deputy Chief of Staff, Materiel, Hq USAF, will furnish the notice required by § 1.604-3 of this title.

**§ 1001.604-50 Recommendation for debarment.**

Upon receipt of action copies of investigative reports containing evidence of fraud, attempted fraud, or other criminal conduct, submit fully substantiated recommendations as to debarment of the firm or individual involved, through the Office of Inspection (MCPI), Hq AMC, to DCS/M, Hq USAF.

**§ 1001.605 Suspension of bidders.**

**§ 1001.605-1 Causes and conditions under which departments may suspend contractors.**

Upon receipt of action copies of investigative reports containing evidence of fraud, attempted fraud, or other criminal conduct, submit fully substantiated recommendations as to suspension of a firm or individual involved, through the MCPI, Hq AMC, to DCS/M, Hq USAF.

**§ 1001.605-2 Period of suspension.**

See § 1.605-2 of this title.

**§ 1001.605-3 Restrictions during period of suspension.**

(a) If award of a contract to a suspended firm or individual is considered to be in the best interest of the Government, the contracting officer, prior to approving such award, will request an exception to restrictions and the procedures outlined in § 1001.603-1(a) will be followed.

(b) See § 1.605-3(b) of this title.

**§ 1001.605-4 Notice of suspension.**

All inquiries or correspondence from or in behalf of suspended contractors concerning their status, reasons for suspension action, etc., will be referred through Command channels to AMC (MCPI) for appropriate action. MCPI

will refer these matters to DCS/M, Hq USAF (AFMPP-PR) if review, advice, or appropriate action by that Headquarters is deemed necessary.

**§ 1001.609 Procurement outside the United States.**

Major overseas commanders will furnish the DCS/M, Hq USAF, through the Office of Inspection (MCPI), Hq AMC, detailed information on action taken in any case of suspected fraud or criminal conduct as such incidents occur. A closing report of completed action will be furnished on each such case.

**§ 1001.609-1 Responsibilities and area coverage.**

See § 1.609 of this title.

**§ 1001.609-3 Protection of lists.**

See § 1.609-3 of this title.

**§ 1001.609-4 Maintenance and distribution of lists.**

See § 1.609-4 of this title.

**§ 1001.609-5 Sample of list.**

See § 1.609-5 of this title.

**§ 1001.609-6 Basis of addition of firms and individuals on lists.**

See § 1.609-6 of this title.

**§ 1001.609-7 Treatment to be accorded firms or individuals in debarred or ineligible status.**

See § 1.609-7 of this title.

**§ 1001.609-8 Causes and conditions under which unified commanders may place names on the consolidated list.**

See § 1.609-8 of this title.

**§ 1001.609-9 Liaison with United States diplomatic missions.**

See § 1.609-9 of this title.

**§ 1001.610 Use of overseas lists within continental United States.**

(a) Within Continental United States: Prior to the award of a prime or subcontract to an offshore supplier (assuming that the prime contract requires ACO approval of subcontracts) the cognizant ConUS procuring or administrative contracting officer will contact AMC (MCPI) in writing, to determine whether or not the firm or individual in question appears on any of the overseas consolidated lists.

(b) Territories or Possessions: AF contracting officers located in United States Territories or Possessions (see §§ 1.201-15 and 1.201-16 of this title) will contact whichever of the following activities is most conveniently located:

- (1) CINCEUR
- (2) CINCPAC
- (3) CINCARIB
- (4) Offshore Air Force Procurement Activity (e.g., SAMAP, NAMAP, etc.)
- (5) AMC (MCPI).

(c) The activity contacted will reply to the requesting activity within 2 working days by the most expeditious means of communication. If the firm or individual in question appears on an offshore consolidated list, the reply will include the information outlined in § 1.609-2 of this title, and will be assigned a security classification commensurate with the information furnished.

**§ 1001.650 Reporting violations.**

All AF personnel will promptly report any indication of fraud or other violation of public trust for appropriate investigative action. Upon receipt of action copies of the investigative reports, the major command concerned will submit comments and recommendations as to debarment or suspension of the firms or individuals involved to the Deputy Chief of Staff, Materiel, Hq USAF, through MCPI. Upon request, major commands will supply MCPI with a closing report of action taken in regard to the findings outlined in investigative reports.

11. Section 1001.651-2 is revised, as follows:

**§ 1001.651-2 AMC experience list.**

This section sets forth the policies and procedures for the establishment and operation of the AMC Experience List. This section applies to personnel of the Directorate of Procurement and Production, Hq AMC, and AMC field procurement activities concerned with the placement, negotiation, administration, or termination of contracts. The procedures prescribed in this section are not to be interpreted to be in conflict with existing instructions concerning debarred, ineligible and suspended contractors; Facility Capability Reports, or approval of subcontracts as to source.

(a) *General.* (1) The AMC Experience List is established to aid procurement personnel in determining the responsibility of firms or individuals concerning the placement, administration, and termination of contracts, and the approval of subcontracts, as to source. In regard to the placement of contracts, the AMC Experience List is considered to be in consonance with §§ 2.406-3 and 3.101 of this title.

(2) The Office of Inspection (MCPI), Hq AMC, will place the names of firms or individuals on the subject list for the following reasons:

(i) *Improper or undesirable practices.* The name of a firm or an individual will not be placed on the list unless the Government has suffered injury from that firm or individual in a contractual relationship. Reasons for listing may include but are not limited to the following: (a) Inadequate quality control, (b) a history of delinquent deliveries provided such delinquencies are substantial and within a reasonable period of time preceding the determination to list, and provided further, such delinquencies are not caused by acts beyond the control of the contractor, (c) questionable business ethics or sharp business practices resulting in greater costs to the Government, (d) inadequate bookkeeping or accounting systems, (e) current OSI or FBI investigation reasonably tending to establish a violation of a Federal statute, (f) reasonable presumption of a violation of the Gratuities clause, and (g) any other conduct under a Government contract leading to a substantially increased administrative burden on the Government.

(ii) \* \* \*

(b) *Use of the list.* The AMC Experience List is intended solely to alert procurement, production and contract administration personnel regarding the improper and unsatisfactory experiences which the Air Force has had with certain contractors. The appearance of a firm or individual on the list will not require mandatory refusal of an award nor will it authorize procurement personnel to omit solicitations of bids or proposals from such firms or individuals nor to discontinue termination proceedings, solely by reason of the inclusion of the name on the list. However, in view of the injury which the Air Force has previously suffered, necessary precautionary measures should be exercised to safeguard the best interests of the Government in connection with any contracts awarded to these firms or individuals.

(c) *Approval of subcontracts as to source.* \* \* \*

(d) *Publication and distribution.* Hq AMC will prepare, publish, distribute, maintain, and keep current the AMC Experience List.

(1) The List will be classified "For Official Use Only." Related correspondence will be similarly classified unless information contained therein warrants a security classification.

(2) Distribution of the list will be made to all AMC activities having a legitimate interest and responsibility therein. The list will, upon request, be distributed to other AF activities, who have a legitimate interest.

(e) *Inquiries.* Because of the limited purpose sought to be served by the list, and the possible misinterpretation by persons other than those engaged in Government procurement of the inclusion thereon of a firm or individual, any unauthorized disclosure of information contained on the AMC Experience List must be strictly guarded against. Also, it is emphasized that a firm or individual may be placed on the list as the result of improper or undesirable practices revealed by a current or pending investigation; therefore, the unauthorized disclosure of the placement of a firm or individual on the list or the substantiating reason therefor could result in the hindrance or compromise of the pending investigation and is expressly forbidden.

**Subpart G—Small Business Concerns**

A new Subpart G is added, as follows:

Sec.	
1001.700	Scope of subpart.
1001.701	Definitions.
1001.701-1	Small business concern.
1001.703	Determination of status as small business concern.
1001.704-2	Departmental small business advisors.
1001.704-3	Small business specialists.
1001.705	Cooperation with the Small Business Administration.
1001.705-1	General.
1001.705-2	SBA representatives.
1001.705-3	Screening of procurements.
1001.705-4	Access to bidders' lists and other information.
1001.705-5	Joint SBA-Defense small business set-aside program.
1001.705-6	Certificates of competency.
1001.706	Set-asides for small business.

Sec.

1001.706-1	General.
1001.706-2	Review of SBA set-aside proposals.
1001.706-3	Withdrawal of set-asides.
1001.706-4	Reporting for Department of Commerce procurement synopsis.
1001.706-5	Total set-asides.
1001.706-6	Partial set-asides.
1001.706-7	Contract authority.
1001.707	Subcontracting.
1001.707-1	General policy.
1001.707-2	Required clause.
1001.707-3	Defense subcontracting in small business program.
1001.707-4	Responsibility for reviewing subcontracting program.
1001.707-5	Maintenance of records.
1001.750	Additional procedures for AMC
1001.751	Responsibilities of small business specialists assigned to Air Materiel Areas and Air Procurement Districts concerned with contract administration.

**§ 1001.700 Scope of subpart.**

This subpart sets forth the Air Force Small Business Program and its policies and procedures with respect to: (a) Complying with the Small Business Act of 1953, as amended, and the Armed Services Procurement Act, as amended and (b) carrying out a fully integrated and cooperative program of joint activities between the AF and the Small Business Administration (SBA) dealings with small business concerns.

**§ 1001.701 Definitions.**

See § 1.701 of this title.

**§ 1001.701-1 Small business concern.**

(a) See § 1.701 of this title.

(b) See § 1.701 of this title.

(c) See § 1.701 of this title.

(d) See § 1.701 of this title.

(e) *Small business certificate.* A Small Business Certificate as defined in § 1.701-1(e) is not to be confused with a Certificate of Competency which is issued by the SBA for a different purpose and which is described in § 1.705-6 of this title.

**§ 1001.703 Determination of status as small business concern.**

Prior to making an award to a bidder which has represented that it has been certified by the SBA as a small business concern, the contracting officer will obtain from the bidder a copy of the Small Business Certificate.

**§ 1001.704 Small business officials.**

See § 1.704 of this title.

**§ 1001.704-2 Departmental small business advisors.**

(a) The Small Business Advisor of the AF is the Chief, Office of Small Business, Directorate of Procurement and Production, Deputy Chief of Staff, Materiel (AFMPP-SB). He is responsible for the development and implementation of the overall Air Force Small Business Program and is the focal point for AF activities connected with small business.

(b) An Executive for Small Business is designated at the headquarters of each major command having purchasing offices in the United States. He serves as the focal point for small business activities within his command and performs staff supervision over small business matters. The Executive for Small Business,



Directorate of Procurement and Production, Hq AMC, performs staff supervision and guidance pertaining to the small business functions of AF activities throughout the United States. Direct communication between the Executive for Small Business, Hq AMC, and executives for small business for other major commands in the United States is authorized.

#### § 1001.704-3 Small business specialists.

Small business specialists are assigned to Hq AMC, AMC field procurement activities, air procurement districts, air procurement offices, Air Research and Development Command centers, Air Force development field offices designated by Hq ARDC, and base procurement activities of all major commands in the United States. The chiefs of the small business offices at AMC field procurement activities are appointed in writing by the director of procurement and production of the activity to which they are assigned. The chiefs of the small business offices at air procurement districts are appointed in writing by the chiefs of the air procurement districts. The chief of each air procurement office will designate an individual as the small business specialist to carry out the small business functions that may be assigned to air procurement offices. Small business specialists assigned to Air Research and Development Command centers will be appointed in writing by the center director of procurement. Small business specialists assigned to AF development field offices will be appointed in writing by the Director of Procurement, Hq ARDC. Small business specialists will be appointed at each base procurement activity of all major commands in the United States other than AMC and ARDC by the chief of the purchasing office. Small business specialists will be responsible directly to the appointing authority, will serve as advisors to the appointing authority on all matters pertaining to small business, and will be the focal point within the installations to which they are assigned on all matters pertaining to small business.

#### § 1001.705 Cooperation with the Small Business Administration.

##### § 1001.705-1 General.

See § 1.705-1 of this title.

##### § 1001.705-2 SBA representatives.

When assigning representatives to contracting offices of the Air Force, SBA will give prior notice in each case to Hq USAF, attn: AFMPP-SB. Evidence of such representative's security clearance will be forwarded by SBA direct to the provost marshal at the base to which the representative is assigned.

##### § 1001.705-3 Screening of procurements.

To make proper recommendations as provided for in § 1.705-3 of this title, SBA representatives at the purchasing offices will be furnished upon request all pertinent information concerning all proposed procurements as soon as practicable following the receipt of the purchase request by the contracting officer,

subject to the ASPR limitations. In applying the procedure set forth in § 1.705-3 of this title, the contracting officer is responsible for determining whether the procurement action will probably result in a contract or contracts exceeding \$10,000.

##### § 1001.705-4 Access to bidders' lists and other information.

See § 1.705-4 of this title.

##### § 1001.705-5 Joint SBA-Defense small business set-aside program.

See § 1.705-5 of this title.

##### § 1001.705-6 Certificates of competency.

(a) When a Certificate of Competency is issued by SBA and the contracting officer has substantial doubt as to the certified firm's ability to perform, he will refer the case, with all pertinent available information and indication of the degree of urgency, to the Commander, AMC, attn: MCP for review prior to award. If Hq AMC doubts the ability of the firm to perform in strict accordance with the particular procurement requirements, the case and all pertinent information will be forwarded to the Director of Procurement and Production, DCS/M, Hq USAF.

(b) See § 1.705-6(b) of this title.

##### § 1001.706 Set-asides for small business.

##### § 1001.706-1 General.

The procedures in paragraphs (a) and (b) of this section are techniques intended to aid small business in addition to those set forth in §§ 1.706-5 and 1.706-6 of this title.

(a) In the field of base procurement, procurements in excess of \$2,500 for which there are known to be two or more small business sources from whom fair and reasonable prices may be expected will be set-aside totally for competition among small business concerns exclusively. Deviations from this policy may be approved in specific cases by notation on the purchase request or other authorized requisition by the chief of the contracting office or his designee provided the designee is not the contracting officer or buyer for the particular procurement.

(b) As to central procurement (as distinguished from base procurement) which is accomplished at AMC (Aeronautical Systems Center) and AMC field procurement activities, every procurement will be set-aside either totally or partially for competition solely among small business concerns if records of previous procurements for the same item or the same service disclose that three or more small business concerns submitted responsive bids that were considered fair and reasonable. However, a partial set-aside may be appropriate where only two small business concerns appear to have the technical competency and productive capacity to furnish a portion of the procurement. (See § 1.706-6(a)(3) of this title.) Deviations from this policy may be approved in specific cases at AMC Aeronautical Systems Center by the chief of the divi-

sion responsible for the procurement or his designee. At AMC field procurement activities, such deviation may be approved in specific cases by the director of procurement and production or his designee. The procurement file will contain a record of the approval of such deviation. This procedure is not intended to limit the authority of SBA representatives, as set forth in §§ 1.705 and 1.706 of this title, to recommend set-asides and to appeal from the contracting officer's disapproval of such recommendations.

##### § 1001.706-2 Review of SBA set-aside proposals.

(a) When circumstances of a procurement are such that the policy set out in § 3.108 of this title, as implemented by § 1003.108 of this chapter, make a total set-aside inappropriate, consideration will be given to use of a partial set-aside.

(b) Appeals of SBA representatives on disapprovals of set-aside recommendations by contracting officers will be sent within (1) AMC Aeronautical Systems Center to Chief, Contract Support Office (LMP) or his designee, (2) AMA's or AF depots to director of procurement and production or his designee, and (3) all other procurement activities to the chief of the contracting office. If the AF representative to whom such an appeal is made is unable to resolve the matter, the appeal with all pertinent backup material and recommendations may be forwarded directly to the Commander, AMC, attn: MCP for resolution. In event decision cannot be made at Hq AMC level, the appeal with pertinent backup materials and recommendations will be forwarded to the Director of Procurement and Production, Hq USAF, attn: Office of Small Business, AFMPP-SB, for decision.

##### § 1001.706-3 Withdrawal of set-asides.

When a procuring contracting officer proposes to withdraw a set-aside which has been applied to a procurement as a result of a joint determination by the contracting officer and the SBA representative, the SBA representative, if he does not agree to the withdrawal, may refer the matter to the chief of the contracting office or his designee whose decision will be final. At AMC Aeronautical Systems Center, referral will be to LMP; at AMC field procurement activities, such referral will be to the director of procurement and production or his designee. If not resolved, appeal may be processed as indicated in § 1001.706-2(b).

##### § 1001.706-4 Reporting for Department of Commerce procurement synopsis.

See § 1.706-4 of this title.

##### § 1001.706-5 Total set-asides.

Small Business Restricted Advertising will be considered the normal method of procurement with conventional negotiation to be used only where the contracting officer has determined that Small Business Restricted Advertising cannot be used. The contract file will be documented to support this determination.

**§ 1001.706-6 Partial set-asides.**

Amend the first line of the notice as follows: "Notice to Prospective Bidders or Offerors. An additional quantity of (insert quantity of each item) has been set aside for award exclusively to small business concerns."

**§ 1001.706-7 Contract authority.**

See § 1.706-7 of this title.

**§ 1001.707 Subcontracting.****§ 1007.707-1 General policy.**

See ASPR.

**§ 1007.707-2 Required clause.**

See ASPR.

**§ 1001.707-3 Defense subcontracting in small business program.**

(a) Whenever an AF contracting officer deems it appropriate he will encourage a contractor to set up a Defense Subcontracting Small Business Program as a part of his purchasing system even though the prime contract is less than one million dollars. This may best be done during contract negotiation. Regardless of the amount of the prime contract, each contractor agreeing to establish a Defense Subcontracting Small Business Program will be requested to publish within the company the necessary instructions to purchasing personnel.

(b) Contractors establishing a Defense Subcontracting Small Business Program will submit DD Form 1140, "Defense Subcontracting Small Business Program Semiannual Report of Participating Companies" (Budget Bureau No. 22-R-163.1, which expires September 30, 1959). This report will be submitted to the small business specialist assigned to the air procurement district within whose geographical boundaries the reporting company is located when it is determined according to § 1001.707-4 that the Air Force has responsibility for reviewing the contractor's program. When special reporting arrangements have been agreed upon between the participating company and Hq AMC, the appropriate air procurement district will be so notified.

(c) Each reporting company or unit reporting to the Air Force will be assigned a permanent reporting unit identification number by the Executive for Small Business, Hq AMC, which will be entered in item 6a of the DD Form 1140, by the reporting company or unit.

**§ 1001.707-4 Responsibility for reviewing subcontracting program.**

(a) When, during negotiations or subsequent to award, the PCO obtains an agreement with a contractor to establish a Defense Subcontracting Small Business Program, he will notify through proper channels the Commander, AMC, attn: MCP-6, giving the name and location of the contractor and the name of the parent company if the contractor is a subsidiary or an affiliate of another company. The Executive for Small Business, Hq AMC, will determine which service has the responsibility for reviewing the contractor's program according to § 1001.707-4 of this title. If the respon-

sibility is that of another service, all pertinent information will be forwarded to Hq USAF, attn: AFMPP-SB. If the responsibility for review of the contractor's program is that of the Air Force, MCP-6 will notify the small business specialist in the appropriate air procurement district.

(b) Upon receiving information from Hq AMC of a contractor's willingness to establish a Defense Subcontracting Small Business Program, the small business specialist assigned to the air procurement district will within 90 days contact the company and make reporting arrangements as described in § 1001.707-3(b). Also, he will verify the name and title of the individual assigned as small business liaison officer and forward this information to Commander, AMC, attn: MCP-6.

(c) Upon receiving reports from a participating contractor, the small business specialist in the air procurement district will enter in the space between the form number and the General Instructions on the face of all DD Forms 1140, the three digit Department of Defense procurement (claimant) code of the principal kind of military items or services being supplied by the reporting unit. Three copies of the completed DD Form 1140 received from each reporting unit will be forwarded by the air procurement district to the Commander, AMC, attn: MCP-6. The July through December 6-month report will be forwarded to reach Hq AMC no later than March 10 and the January through June 6-month report will be forwarded to reach Hq AMC no later than September 15.

(d) Where contractors have established Defense Subcontracting Small Business Programs, responsibility for which has been assigned to the Air Force, the small business specialist in the air procurement district will determine the adequacy of the contractor's Defense Subcontracting Small Business Program by a personal call on the contractor within 90 days after having been notified that the contractor has established a program. In determining the adequacy of the contractor's program, AFPI Form 46D, "Defense Subcontracting Small Business Checklist," will be completed and retained in the small business specialists' files. A copy of the completed checklist will be furnished to the administrative contracting officer or the AF plant representative for his consideration when reviewing the contractor's purchasing system for approval or disapproval, since it is recognized that liaison with the contractor insofar as subcontracting to small business is concerned is a joint responsibility of the small business specialist and the administrative contracting officer. Discrepancies in the contractor's Defense Subcontracting Small Business Program reflected by the completed checklist will be brought to the attention of the contractor's small business liaison officer with an appropriate request for corrective action.

**§ 1001.707-5 Maintenance of records.**

Hq AMC, will prepare, from the information on the DD Forms 1140, a Summary of Reports of Participating Units (RCS: DD-S&L-(SA)-267). Three copies of this Summary of Reports will be forwarded, accompanied by two

copies of each DD Form 1140 to Hq USAF, attn: AFMPP-SB, for transmittal to the Assistant Secretary of Defense (Supply and Logistics).

**§ 1001.750 Additional procedures for AMC.**

At Hq AMC and AMC field procurement activities the additional procedures set forth in this section will be followed on all individual procurement actions which are expected to involve an expenditure of \$10,000 or more.

(a) The procurement personnel will notify the small business specialist if prior to the initiation of purchase requests discussions are to be held for the purpose of considering potential sources. At such discussions potential sources suggested by the small business specialist will be given the same consideration as other potential sources that may be considered.

(b) PR-MIPR control offices will furnish a copy of all purchase requests (PR's) to the small business specialist simultaneously with the release of the PR to the buyer.

(c) The small business specialist will notify the buyer in the event the SBA representative, if one is assigned to the purchasing office, wishes to discuss the procurement.

(d) The buyer will notify the small business specialist, by telephone or personal contact, when ready, but prior to ordering the issuance of the IFB or RFP. The small business specialist will arrange a meeting with the buyer and will invite the SBA representative to participate in the meeting, if one is assigned to the installation:

(1) At this meeting, the buyer will state a proposed method of handling the procurement and furnish the small business specialist a copy of his procurement plan, if one has been prepared, and will furnish the small business specialist a copy of the bidders' mailing list to be used.

(2) The small business specialist will determine whether the item or service being procured is within the capability of small business concerns to produce or furnish as prime contractors and will advise the buyer of his determination. If such determination is affirmative, the contracting officer should consider making a total or partial set-aside of the procurement according to § 1.706 of this title. If it is determined, according to § 1001.302-4 of this chapter, that Defense Manpower Policy No. 4 is applicable, the small business specialist will furnish the buyer, for addition to the list of firms to be solicited, the names and addresses of firms appearing on the applicable Bidders' Mailing List that are located in Areas of Substantial Labor Surplus. The small business specialist will also make suggestions if desired as to the method of handling the procurement and will add to the list of concerns to be solicited the names and addresses of small business concerns when such additions are considered by the small business specialist to be necessary to afford small business an equitable opportunity to compete. Such additions to the Bidders' Mailing List will include the names of any small business con-

cerns submitted by the SBA representative as potential sources for the supplies or services being procured on the particular procurement. If it is determined by the small business specialist that the procurement will be synopsisized according to § 2.206 of this title, action will be taken to submit the information at the earliest practicable time.

(3) Following the determination as to whether a small business set-aside will be made according to § 1.706-5 of this title and § 1001.706-5 or § 1.706-6 of this title and § 1001.706-6 of this chapter the small business specialist will furnish the buyer with a copy of AFPI Form 46, "Small Business Procurement Record Sheet," which will become a permanent part of the procurement file. Part I of AFPI Form 46 will be completed according to the agreements reached between the buyer and the small business specialist. The original of AFPI Form 46 will be retained by the small business specialist until such time as information is available to him for completion of Part II of AFPI Form 46 according to paragraph (g) of this section. When the procurement is to be synopsisized, the buyer and the small business specialist will enter in the space provided on AFPI Form 46 a description of the supplies or services being procured which will be published in the Department of Commerce "Synopsis of Proposed Procurements, Sales and Contract Awards." Where it has been determined that the procurement will be synopsisized, an extra copy of AFPI Form 46 will be furnished to the buyer for the use of the individual responsible for transmitting information to the Department of Commerce.

(e) For procurements determined by the small business specialist to be within the capability of small business, the buyer will:

(1) Furnish a copy of the IFB or RFP, and any amendments subsequently issued, to the small business specialist.

(2) Furnish to the small business specialist, prior to making awards, a copy of the abstract of bids or proposals including any engineering or laboratory evaluation that has influenced the procurement.

(f) The small business specialist will notify the buyer when not satisfied that adequate consideration has been given to small business concerns in the handling of the procurement and will be given an opportunity to appeal to the chief of the procurement committee at the AMC field procurement activity prior to award. At Hq AMC, the appeal will be made to the Director of Procurement and Production. The small business specialist will notify the buyer of any disagreement immediately upon receipt of the abstract to avoid delaying the procurement. Normal review functions will be performed on all awards requiring approval of higher authority.

(g) From the abstract received from the buyer, the small business specialist will complete Part II of AFPI Form 46 and retain the completed form until receipt of the DD Form 350 as provided for in paragraph (h) of this section.

(h) The small business specialist at AMC field procurement activities will

review all DD Forms 350, "Individual Procurement Action Report," before they are sent to Hq AMC and will resolve with the buyer any apparent discrepancies between the small business information on the DD Form 350 and information recorded on AFPI Form 46. Small business specialists at Hq AMC will similarly review all DD Forms 350 originating in the buying divisions at Hq AMC before the information thereon is consolidated for recurring reports submitted by AMC to higher authority.

(i) One copy of each completed AFPI Form 46 will be forwarded to Commander, AMC, attn: MCP-5. These forms will be forwarded once each month for procurements completed during the month and will be forwarded to reach Hq AMC no later than the 10th calendar day of the month following the end of the month in which the procurements were completed. For the purpose of this section, a procurement is considered to be completed during the month in which the small business specialist reviews the DD Form 350.

**§ 1001.751 Responsibilities of small business specialists assigned to air materiel areas and air procurement districts concerned with contract administration.**

(a) Small business specialists assigned to AMA's will perform staff supervision with respect to small business functions of APD's within the jurisdiction of the AMA.

(b) Small business specialists assigned to an APD are responsible, among other things, for the following: (1) Advising the chief of the air procurement district directly on all small business matters, and reporting directly to the chief of the APD any instances in which a small business concern is not receiving equitable treatment; (2) maintaining liaison with other Federal, State, and local agencies and civic organizations with respect to small business matters; (3) upon request, advising purchase activities within the geographical boundaries of the APD regarding application of small business policies; (4) keeping current data on the existence and capabilities of small business concerns within the APD and on the existence of AF prime contractors in and around the APD, and assisting small business concerns to participate either as prime contractors or subcontractors in AF procurements; and (5) surveillance of Defense Subcontracting Small Business Programs which may have been established by contractors within the geographical boundaries of the APD.

#### **Subpart T—Ethical Standards of Procurement Personnel**

1. Paragraph (b) of § 1001.2003-3 is revised, as follows:

**§ 1001.2003-3 Private activities in conflict with Government interest.**

\* \* \* \* \*

(b) Other conflicts of interest.

Military and civilian personnel of the Air Force must refrain from any other private business or professional activity which would place them in a position where there is a conflict between their

private interest and the public interest of the United States. In particular, it is a general rule of public policy that the Government should not contract with its own personnel unless the needs of the Government cannot reasonably be met otherwise. The ownership of stock, bonds, indentures, or any other form of interest in any business organization by AF personnel, or by members of their immediate families is considered disqualifying AF personnel from representing the Air Force in dealings of any kind with such business entity. Unless such financial interest is terminated, the disqualification must be reported to the appropriate superior. Personnel charged with the administration of AFR 34-21, who own stock in, or are officers of, an insurance company, must scrupulously avoid negotiating with such company in respect to granting authorization to solicit sales. The same restriction will apply in the case of personnel having a financial interest in any other business enterprise which deals with AF personnel on an individual basis.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314)

[SEAL] CHARLES M. McDERMOTT,  
Colonel, U.S. Air Force, Deputy  
Director of Administrative  
Services.

[F.R. Doc. 59-5824; Filed, July 14, 1959;  
8:46 a.m.]

## **Title 7—AGRICULTURE**

### **Chapter I—Agricultural Marketing Service (Standards, Inspection, Marketing Practices), Department of Agriculture**

#### **PART 51—FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)**

##### **Subpart—United States Standards for Snap Beans for Processing<sup>1</sup>**

On May 30, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 4380) regarding a proposed revision of United States Standards for Snap Beans for Processing (7 CFR §§ 51.3240 to 51.3258).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Snap Beans for Processing are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

#### **GRADES**

Sec.	
51.3240	U.S. No. 1.
51.3241	U.S. No. 2.

#### **CULLS**

51.3242	Culls.
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<sup>1</sup> Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

## SIZE CLASSIFICATIONS

- Sec.  
51.3243 Size classifications.
- APPLICATION OF STANDARDS
- 51.3244 Application of standards.
- DEFINITIONS

- 51.3245 Similar varietal characteristics.
- 51.3246 Fresh.
- 51.3247 Firm.
- 51.3248 Succulent.
- 51.3249 Tender.
- 51.3250 Fairly well formed.
- 51.3251 Extraneous material.
- 51.3252 Damage.
- 51.3253 Diameter.
- 51.3254 Similar color.
- 51.3255 Reasonably similar type.
- 51.3256 Tough or overmature.
- 51.3257 Seriously misshapen.
- 51.3258 Serious damage.

AUTHORITY: §§ 51.3240 to 51.3258 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

## GRADES

## § 51.3240 U.S. No. 1.

"U.S. No. 1" consists of snap beans of similar varietal characteristics which are fresh, firm, succulent, tender, fairly well formed, free from decay, anthracnose and extraneous material, and free from damage caused by scars, rust, other disease, insects, bruises, punctures, broken ends or other means.

(a) Unless a larger diameter is specified, the maximum diameter of beans in this grade shall be less than  $2\frac{1}{4}$  of an inch (maximum diameter of 4 sieve size).

(b) Unless otherwise specified, the minimum diameter of beans in this grade shall be  $1\frac{1}{4}$  of an inch.

## § 51.3241 U.S. No. 2.

"U.S. No. 2" consists of snap beans of similar color and reasonably similar type which are fresh, firm, not tough or overmature, not seriously misshapen, and which are free from decay, anthracnose and extraneous material, and free from serious damage caused by scars, rust, other disease, insects, bruises, punctures, broken ends or other means.

(a) There shall be no maximum diameter in this grade.

(b) Unless otherwise specified, the minimum diameter of beans in this grade shall be  $1\frac{1}{4}$  of an inch.

## CULLS

## § 51.3242 Culls.

"Culls" consists of beans which do not meet the requirements of U.S. No. 2 grade.

## SIZE CLASSIFICATIONS

## § 51.3243 Size classifications.

Size classifications have been established by the industry to describe different sizes of beans. If size is specified, it is recommended that one or more of the following designations be used:

Sieve size:	Diameter
No. 1-----	$1\frac{1}{4}$ to, but not including, $1\frac{1}{2}$ inch.
No. 2-----	$1\frac{1}{2}$ to, but not including, $1\frac{3}{4}$ inch.
No. 3-----	$1\frac{3}{4}$ to, but not including, $2\frac{1}{4}$ inch.
No. 4-----	$2\frac{1}{4}$ to, but not including, $2\frac{3}{4}$ inch.

No. 137—3

Sieve size:	Diameter
No. 5-----	$2\frac{3}{4}$ to, but not including, $3\frac{1}{4}$ inch.
No. 6 and larger--	$3\frac{1}{4}$ inch and larger.

## APPLICATION OF STANDARDS

## § 51.3244 Application of standards.

In determining the grade of a lot of beans, representative samples are drawn from various parts of the lot and mixed together. The composite sample or a portion thereof is sorted into U.S. No. 1 grade, U.S. No. 2 grade, culls and extraneous material, and the percentage, by weight, of each is determined. Under this system, tolerances for beans below grade or for extraneous material are not required in the standards.

## DEFINITIONS

## § 51.3245 Similar varietal characteristics.

"Similar varietal characteristics" means that the beans are of the same general type and color. Wax type shall not be mixed with green type, and round, semi-flat and flat types shall not be mixed.

## § 51.3246 Fresh.

"Fresh" means that the bean is not more than slightly wilted.

## § 51.3247 Firm.

"Firm" means that the walls of the bean are reasonably solid, not puffy or spongy.

## § 51.3248 Succulent.

"Succulent" means that the flesh inside of the walls of the bean is translucent and juicy with not more than a slight trace of drying around the seed.

## § 51.3249 Tender.

"Tender" means that the bean is practically free from fiber or strings.

## § 51.3250 Fairly well formed.

"Fairly well formed" means that the bean is not more than moderately curved, crooked, twisted or tapered.

## § 51.3251 Extraneous material.

"Extraneous material" consists of bean vines and leaves, weeds, stones, sticks, loose dirt or other foreign material. All vines attached to beans shall be detached in determining the grade and included with the extraneous material.

## § 51.3252 Damage.

"Damage", unless otherwise specifically defined in this section, means any defect which materially affects the processing quality of the bean. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Scar, rust or other disease spot which will be plainly noticeable after the bean has been blanched;

(b) Bruises or punctures which are noticeably discolored, or which affect an area more than one-fourth inch in length;

(c) Broken ends when the flesh of the thick portion of the bean is exposed, or

when the remaining portion of the bean is less than  $2\frac{1}{4}$  inches long; and,

(d) Insect stings or scars which will be plainly noticeable after the bean has been blanched.

## § 51.3253 Diameter.

"Diameter" means thickness as determined by the width of the smallest slot through which the bean may be passed, without forcing, in any one position or series of positions.

## § 51.3254 Similar color.

"Similar color" means that the bean is of the same color type as the majority of the beans in the lot. Wax type beans in a lot of green beans shall be classed as culls, and green type beans in a lot of wax beans shall be classed as culls.

## § 51.3255 Reasonably similar type.

"Reasonably similar type" means that the beans are not distinctly different in cross-section shape. For example, round and semi-flat beans shall be considered reasonably similar; and flat and semi-flat beans shall be considered reasonably similar. Round and flat beans shall not be considered reasonably similar types.

## § 51.3256 Tough or overmature.

"Tough or overmature" means that the bean is leathery, fibrous and stringy or has dry, whitish, pithy tissue or air pockets around the seeds.

## § 51.3257 Seriously misshapen.

"Seriously misshapen" means that the bean is badly curved, crooked, twisted or tapered.

## § 51.3258 Serious damage.

"Serious damage", unless otherwise specifically defined in this section, means any defect which seriously affects the processing quality of the bean. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Scars, rust or disease spots which are very dark colored or very unsightly, or which are moderately dark and moderately unsightly and affect more than one-fourth the length of the bean;

(b) Bruises or punctures which are badly discolored, or which affect an area more than three-fourths inch in length;

(c) Broken ends which expose the flesh of the thick portion of the bean when both ends are broken, or when one end is broken and the exposed flesh is distinctly discolored, or when the remaining portion of the bean is less than  $2\frac{1}{4}$  inches long; and,

(d) Insects which are present inside the bean, or any insect hole penetrating the wall of the bean, or very unsightly insect stings or scars.

The United States Standards for Snap Beans for Processing contained in this subpart shall become effective 10 days after publication hereof in the FEDERAL REGISTER, and will thereupon supersede the United States Standards for Snap Beans for Processing which have been in effect since March 1, 1940.

It is hereby found and determined that good cause exists for not postponing the

effective date of these revised standards longer than ten days beyond the date of publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011), in that: (1) The bean processing season has begun, and it is in the interest of the industry and the public that the standards be made effective at an early date; and (2) no special preparation for compliance with the standards on the part of the bean growers, processors or others is required.

Dated: July 10, 1959

ROY W. LENNARTSON,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 59-5835; Filed, July 14, 1959;  
8:47 a.m.]

### Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 577, 5th Rev.]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### Subpart—Black Stem Rust

#### ADMINISTRATIVE INSTRUCTIONS DESIGNAT- ING RUST-RESISTANT BARBERRY, MA- HOBERBERIS AND MAHONIA PLANTS

Pursuant to § 301.38-5 of the regulations supplemental to the black stem rust quarantine (7 CFR 301.38-5), issued under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, Administrative instructions appearing as 7 CFR, 1958 Supp., 301.38-5a are hereby revised to read as follows:

§ 301.38-5a / Administrative instructions designating rust-resistant barberry, mahoberberis, and mahonia plants.

(a) The Director of the Division, upon the basis of evidence satisfactory to him, has determined that the following species and horticultural varieties of barberry, mahoberberis, and mahonia are resistant to black stem rust, and such species and varieties are hereby designated as rust-resistant:

##### Scientific Name

Barberis arido-callida.  
B. beaniana.  
B. buxifolia.  
B. buxifolia nana.  
B. calliantha.  
B. candidula.  
B. cavalleri.  
B. chenaulti.  
B. circumserrata.  
B. concinna.  
B. coxii.  
B. darwini.  
B. dubia.  
B. formosana.  
B. franchetiana.  
B. gagnepaini.  
B. gilgiana.  
B. gladwynensis.  
B. horvathi.  
B. hybrido-gagnepaini.  
B. insignis.  
B. julianae.  
B. koreana.  
B. lempergiana.  
B. lepidifolia.  
B. linearifolia.  
B. linearifolia var. Orange King.  
B. lologensis.  
B. manipurana.

B. mentorensis.  
B. pallens.  
B. potanini.  
B. Renton.  
B. replicata.  
B. sanguinea.  
B. sargentiana.  
B. stenophylla.  
B. stenophylla diversifolia.  
B. stenophylla gracilis.  
B. stenophylla irwini.  
B. stenophylla nana compacta.  
B. taliensis.  
B. telomaica artisejala.  
B. thunbergi.  
B. thunbergi argenteo marginata.  
B. thunbergi atropurpurea.  
B. thunbergi atropurpurea erecta.  
B. thunbergi atropurpurea nana.  
B. thunbergi atropurpurea "Redbird".  
B. thunbergi aurea.  
B. thunbergi erecta.  
B. thunbergi "globe".  
B. thunbergi "golden".  
B. thunbergi maximowiczii.  
B. thunbergi minor.  
B. thunbergi pluriflora.  
B. thunbergi "thornless".  
B. thunbergi "variegata".  
B. thunbergi xanthocarpa.  
B. triacanthophora.  
B. verruculosa.  
B. virgatorum.  
B. wokingsensis.  
B. xanthoxylon.  
Mahoberberis aquicandidula.  
M. aquisargentiae.  
M. mietheana.  
Mahonia aquifolium.  
M. bealei.  
M. compacta.  
M. dictyota.  
M. fortunei.  
M. lomarifolia.  
M. nervosa.  
M. pinnata.  
M. repens.

(b) Plants of the species and varieties listed in paragraph (a) of this section may be moved interstate in compliance with the regulations in this subpart.

(c) Under the regulations in this subpart, seeds and fruit of the species and varieties listed in paragraph (a) of this section, if produced in any of the States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, may be moved between such States only under permit or, whenever produced, may be moved from the States named to points outside thereof, and between States other than those named, without restriction. Under the regulations, seeds and fruit of the species and varieties listed in paragraph (a) of this section generally are prohibited movement into the States named.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161. 19 F.R. 74, as amended, 7 CFR 301.38-5)

These instructions shall become effective on July 15, 1959, when they shall supersede P.P.C. 577, fourth revision, effective April 23, 1958 (7 CFR, 1958 Supp., 301.38-5a).

The purpose of this revision is to add to the list of rust-resistant species and horticultural varieties of barberry, mahoberberis, and mahonia plants the following two additional species and vari-

eties: *Berberis thunbergi atropurpurea* "Redbird" and *B. thunbergi aurea*.

The designation of such rust-resistant species and varieties in effect constitutes a relaxation of the restrictions of the regulations and depends upon facts within the knowledge of the Plant Pest Control Division, based on tests conducted by the U.S. Department of Agriculture to determine the susceptibility of such species and varieties to black stem rust. It has been determined that there is no unwarranted pest risk involved in the permitted movement of such species and varieties. The determination having been made that these species and varieties are rust-resistant, authorization for their movement in accordance with the regulations should be accomplished promptly. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure concerning this revision are impracticable and unnecessary, and since it relieves restrictions it may be made effective less than thirty days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of July 1959.

[SEAL]

E. D. BURGESS,  
Director,

Plant Pest Control Division.

[F.R. Doc. 59-5838; Filed, July 14, 1959;  
8:48 a.m.]

### Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

#### PART 1020—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASH- INGTON

##### Determination Relative to Expenses and Fixing of Rate of Assessment for 1959-60 Fiscal Period

Pursuant to the marketing agreement and Order No. 120 (7 CFR Part 1020), regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the proposals submitted by the Washington Apricot Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

##### § 1020.203 Expenses and rate of assessment for the 1959-60 fiscal period.

(a) Expenses: The expenses that are reasonable and likely to be incurred by the Washington Apricot Marketing Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning April 1, 1959, and ending March 31, 1960, will amount to \$7,060.

(b) Rate of assessment: The rate of assessment, which each handler who



first handles apricots shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said marketing agreement and order is hereby fixed at one and one-half dollars (\$1.50) per ton of apricots, so handled by such handler during such fiscal period.

(c) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in public rule-making procedure, and good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) shipments of apricots are now being made; (2) the rate of assessment is applicable to all apricots shipped during the aforesaid fiscal period; (3) the provisions hereof do not impose any obligations on a handler until such handler handles apricots; and (4) it is essential that the specification of assessment rate be issued immediately so as to enable the said Washington Apricot Marketing Committee to perform its duties and functions in accordance with said marketing agreement and order.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order. The terms hereof shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 10, 1959.

S. R. SMITH,  
Director, Fruit and Vegetable  
Division, Agricultural Market  
Service.

[F.R. Doc. 59-5836; Filed, July 14, 1959;  
8:47 a.m.]

## PART 1022—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

### Determination Relative to Expenses and Fixing of Rate of Assessment for 1959-60 Fiscal Period

Pursuant to the marketing agreement and Order No. 122 (7 CFR Part 1022), regulating the handling of sweet cherries grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the proposals submitted by the Washington Cherry Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 1022.204 Expenses and rate of assessment for the 1959-60 fiscal period.

(a) Expenses: The expenses that are reasonable and likely to be incurred by the Washington Cherry Marketing Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such

committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning April 1, 1959, and ending March 31, 1960, will amount to \$9,575.

(b) Rate of assessment: The rate of assessment, which each handler who first handles cherries shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said marketing agreement and order is hereby fixed at one dollar and thirty-five cents (\$1.35) per ton of cherries so handled by such handler during such fiscal period.

(c) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in public rule-making procedure, and good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) shipments of cherries are now being made; (2) the rate of assessment is applicable to all cherries shipped during the aforesaid fiscal period; (3) the provisions hereof do not impose any obligations on a handler until such handler handles cherries; and (4) it is essential that the specification of assessment rate be issued immediately so as to enable the said Washington Cherry Marketing Committee to perform its duties and functions in accordance with said marketing agreement and order.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order. The terms hereof shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 10, 1959.

S. R. SMITH,  
Director, Fruit and Vegetable  
Division, Agricultural Mar-  
keting Service.

[F.R. Doc. 59-5837; Filed, July 14, 1959;  
8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Reg. Docket No. 61; Special Civil Air Reg.  
SR-416A]

### VOLUNTARY PILOT REPORT OF NEAR MID-AIR ("NEAR-MISS") COLLISION

#### Rescission of Special Civil Air Regulation SR-416

On February 23, 1956, the Civil Aeronautics Board adopted in the exercise of its powers under Titles VI and VII of the Civil Aeronautics Act of 1938, as amended, Special Civil Air Regulation No. SR-416. This regulation was adopted because of the Board's concern with the then increasing frequency of near mid-air collisions. It desired to encourage airmen to voluntarily report

such incidents so that it could secure data relating to the circumstances surrounding these occurrences. The Board therefore established a program for reporting near mid-air collisions, anonymously or otherwise. In order to induce such reporting, the Board, in SR-416, officially assured that the identity of persons making these reports would be held in strict confidence and that the information derived therefrom would not be used to initiate, aid, or abet an enforcement, remedial, or disciplinary proceedings notwithstanding that a violation of the Civil Air Regulations was disclosed by the report. SR-416, however, did not guarantee complete immunity because it also provided that where information indicating a violation of a Civil Air Regulation was obtained by other means, the fact that the information was voluntarily reported would not preclude disciplinary or remedial action based on such other information. The Civil Aeronautics Board has advised that it has become apparent that the environmental factors of "near-miss" data obtained from the reports over the last three years indicate a nearly static quality of predictability and that further statistics would be merely repetitions of existing data. The Board therefore believes that no useful purpose would be served by a continuation of the present voluntary reporting program and does not wish to continue said program pursuant to its powers under section 701 (a) (5) of the Federal Aviation Act of 1958.

The FAA has recently established internally a near midair collision investigation program which is designed to gather promptly all of the available information regarding each particular case. Field representatives of the Federal Aviation Agency investigate the individual case, collect the available data, evaluate the factors involved, determine the cause, recommend corrective or enforcement action and forward their findings to a central office established in Washington. The office in Washington evaluates the individual case and breaks the data down into various statistical phases of operation, in order to determine deficiencies in the airways system, traffic patterns and procedures, in the civil air regulations, and in other areas of air operation. This system will thus enable the Federal Aviation Agency to evaluate quickly the circumstances surrounding each incident and to initiate any corrective or enforcement action that may be required.

In consideration of the views of the Civil Aeronautics Board and the Federal Aviation Agency's collision investigation program, it has been determined that it would not be in the public interest to continue SR-416 in effect.

SR-416 was adopted by the Civil Aeronautics Board not only under its general rule making authority (section 205(a)) of the Civil Aeronautics Act, as amended, but also under section 601 (Safety Regulation) and section 702 (Accident Investigation). Inasmuch as the Federal Aviation Agency now has the sole responsibility for adopting safety regulations, the action taken herein is predicated on section 313(a)

of the Federal Aviation Act of 1958, which contains its general rule making authority, and Section 601 of the Act which empowers it to adopt safety regulations. The Civil Aeronautics Board is taking parallel action simultaneous herewith.<sup>1</sup>

Since the rescission of SR-416 does not impose an additional burden on any person, the Administrator finds that compliance with the notice, public participation and effective date provisions of Section 4 of the Act is unnecessary. In consideration of the foregoing:

Effective July 15, 1959, Special Civil Air Regulation No. SR-416, adopted by the Civil Aeronautics Board on February 23, 1956, is hereby rescinded insofar as it was promulgated under Title VI of the Civil Aeronautics Act of 1938, as amended.

Issued in Washington, D.C., on July 10, 1959.

(Secs. 313(a), 601, 72 Stat. 752, 775, 49 U.S.C. 1354, 1421)

E. R. QUESADA,  
Administrator.

[F.R. Doc. 59-5834; Filed, July 14, 1959;  
8:47 a.m.]

[Reg. Docket 58; Reg. SR-422B]

## SPECIAL CIVIL AIR REGULATION; TURBINE-POWERED TRANSPORT CATEGORY AIRPLANES OF CUR- RENT DESIGN

### Correction

In F.R. Document 59-5810 appearing in the issue for Tuesday, July 14, 1959, at page 5629 make the following change: In 40 T.81(b), line 7, preceding the word "before" insert the following material which was inadvertently omitted:

"elevation of each of the airports involved and for the ambient temperatures anticipated at the time of landing. (See §§ 4T.123 (a) (2) and 4T.743(a).)"

(c) No airplane shall be taken off at a weight which exceeds the weight at which, in accordance with the minimum distances for takeoff scheduled in the Airplane Flight Manual, compliance with subparagraphs (1) through (3) of this paragraph is shown. These distances shall correspond with the elevation of the airport, the runway to be used, the effective runway gradient, and the ambient temperature and wind component existing at the time of takeoff. (See §§ 4T.123 (a) (3) and 4T.743(a).)"

(1) The accelerate-stop distance shall not be greater than the length of the runway plus the length of the stopway if present.

(2) The takeoff distance shall not be greater than the length of the runway plus the length of the clearway if present, except that the length of the clearway shall not be greater than one-half of the length of the runway.

(3) The takeoff run shall not be greater than the length of the runway.

(d) No airplane shall be operated outside the operational limits specified in the Airplane Flight Manual. (See §§ 4T.123(a) (4) and 4T.743(a).)"

40T.82 Takeoff obstacle clearance limitations. No airplane shall be taken off at a weight in excess of that shown in the Airplane Flight Manual to correspond with a net takeoff flight path which clears all obstacles either by at least a height of 35 feet vertically or by at least 200 feet horizontally within the airport boundaries, and by at least 300 feet horizontally after passing beyond the boundaries. In determining the allowable deviation of the net takeoff flight path in order to avoid obstacles by at least the distances prescribed, it shall be assumed that the airplane is not banked."

## Chapter II—Civil Aeronautics Board

[Reg. SIR-3]

## VOLUNTARY PILOT REPORT OF NEAR MID-AIR ("NEAR-MISS") COLLISION

### Rescission of Special Civil Air Regulation SR-416

On February 23, 1956, the Board promulgated Special Civil Air Regulation No. SR-416, entitled Voluntary Pilot Report of Near Mid-Air ("Near-Miss") Collision, pursuant to both its safety rule-making powers under Title VI of the Civil Aeronautics Act and its air safety investigation powers under Title VII of said Act. The Federal Aviation Act of 1958 transferred the air safety rule-making function from the Board to the Administrator of the Federal Aviation Agency while the safety investigation powers under Title VII remained in the Board. SR-416 has therefore remained in force under the authority of both the Board and the Administrator.

The Administrator has advised the Board that he wishes to rescind this regulation. The Board finds that the "near-miss" program established by SR-416 has yielded all the useful information which it is capable of producing for the time being, and that further extension of the program is not necessary at this time for the Board's air safety investigation purposes. The Board therefore has decided to rescind SR-416 simultaneously with like action by the Administrator.<sup>1</sup>

Accordingly, it is ordered that Special Civil Air Regulation SR-416 of February 23, 1956, insofar as it constitutes an exercise of the Board's powers under Title VII of the Federal Aviation Act, be, and it hereby is, rescinded, effective July 15, 1959.

Effective: July 15, 1959.

Adopted: June 26, 1959.

By the Civil Aeronautics Board:

[SEAL]

MABEL McCART,  
Acting Secretary.

[F.R. Doc. 59-5841; Filed, July 14, 1959;  
8:48 a.m.]

<sup>1</sup> See Title 14, Chapter II, F.R. Document 59-5841, *infra*.

<sup>2</sup> See Title 14, Chapter I, F.R. Document 59-5834, *supra*.

## Chapter V—National Aeronautics and Space Administration

## PART 1221—OFFICIAL SEAL AND INSIGNIA.

### Subpart 1 [Reserved]

### Subpart 2—Official NASA Insignia

Sec.	
1221.200	Scope of subpart.
1221.201	Definitions.
1221.202	Prescribed insignia.
1221.203	Manufacture, reproduction, and display.
1221.204	Distribution, issuance, and retail sale.
1221.205	Prohibited use.
1221.206	Violations.
1221.290	Illustration.

AUTHORITY: §§ 1221.200 to 1221.290 issued under sec. 203, Pub. Law 85-568.

### Subpart 1—[Reserved]

### Subpart 2—Official NASA Insignia

#### § 1221.200 Scope of subpart.

This subpart prescribes the official insignia (to be distinguished from the official Seal) of the National Aeronautics and Space Administration (NASA) and establishes standards for the reproduction, manufacture, sale, possession, wearing, and use thereof.

#### § 1221.201 Definitions.

For purposes of this subpart, the following definitions will apply:

(a) "Official articles" means:

(1) Wearing apparel used by NASA personnel in the performance of official duties.

(2) Pennants, placards, plates, or stickers for aircraft, spacecraft, or vehicles.

(3) Publications, posters, manuals, handbooks, signs, advertisements, lapel pins, identification cards, credentials, flags, banners, photographs, charts, or the like.

(b) "Equipment" means machinery tools, vehicles, furnishings, and similar items of a more or less permanent nature used and owned by the Administration.

(c) "Facilities" means buildings, shelters, test stands, shops, and similar structures used and owned by the Administration.

(d) "Administrator" means the Administrator, National Aeronautics and Space Administration.

(e) "Director of Business Administration" means the Director of Business Administration, National Aeronautics and Space Administration.

(f) "Administration" means the National Aeronautics and Space Administration.

#### § 1221.202 Prescribed insignia.

(a) The prescribed insignia shall be a circular design depicting a sky background of dark blue; within and extending slightly beyond the circle shall be a wing configuration of solid red; and within the circle shall be the letters NASA, an elliptical flight path and random placed stars in white.

(b) The prescribed insignia may be reproduced in the above colors or in single color (including black). In single color reproduction, the wing insignia shall be hatched with diagonal lines as illustrated in section 1221.290 hereof. Two-color printing of the insignia shall be in accordance with standards prescribed in the U.S. Government Printing and Binding Regulations and shall be limited to cases where such printing serves a functional purpose.

(c) The dimensions of the components of the prescribed insignia will be established by the diameter of the insignia's dark blue background and may be proportionately increased or decreased.

**§ 1221.203 Manufacture, reproduction, and display.**

(a) Any individual, association, or business entity may manufacture the prescribed insignia and official articles in compliance with this subpart.

(b) The prescribed insignia may be reproduced and displayed only:

- (1) On official articles;
- (2) On equipment;
- (3) On facilities;

(4) In connection with articles or advertisements in newspapers, magazines, or other publications, or in connection with television or other public information media, provided such use is not intended to discredit the Administration or to mislead, confuse, misrepresent or defraud, or does not erroneously confer the impression of indorsement or approval by or relationship to, the Administration; and

(5) On such other items, whether official articles or not, as may be designated or approved by the Administrator.

(c) Reproduction of the prescribed insignia in connection with any publication or article used for political purposes is prohibited.

(d) The prescribed insignia shall not be used in any case in which use of the Seal of the Administration is prescribed.

(e) No alteration or modification of the prescribed insignia may be made except as the Administrator may from time to time authorize.

(f) To the extent necessary, implementing instructions governing the manufacture, reproduction, and display of the prescribed insignia shall be issued by the Director of Business Administration.

**§ 1221.204 Distribution, issuance, and retail sale.**

No distribution, issuance, or retail sale of the prescribed insignia or official articles shall be made except upon the authorization of the Director of Business Administration.

**§ 1221.205 Prohibited use.**

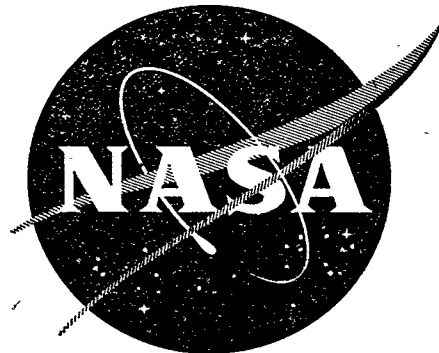
No person shall possess or wear the prescribed insignia or any device in colorable imitation thereof with intent to deceive or mislead, or for the purpose of

inducing the false impression that such person is engaged in the performance of an authorized Administration activity.

**§ 1221.206 Violations.**

Whoever manufactures, sells, or possesses the prescribed insignia or any colorable imitation thereof, or photographs, prints, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of the prescribed insignia, or any colorable imitation thereof, except as authorized under this subpart, shall be subject to a fine or not more than \$250.00 or imprisonment of not more than six months, or both (18 U.S.C. 701).

**§ 1221.290 Illustration.**



*Effective date.* The provisions of this subpart are effective July 15, 1959.

T. KEITH GLENNAN,  
Administrator.

[F.R. Doc. 59-5859; Filed, July 14, 1959;  
8:49 a.m.]

## Title 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### SUBCHAPTER F—ALASKA COMMERCIAL FISHERIES

#### PART 104—BRISTOL BAY AREA

##### Additional Fishing Time

*Basis and purpose.* The runs of red salmon in the Ugashik district of Bristol Bay have continued in sufficient strength through the open fishing periods allowed by section 104.9 during the week ending July 12, 1959, so as to permit limited additional fishing time during that week.

Therefore § 104.9 as amended July 8 and July 10, 1959, is further amended so as to permit fishing in the Ugashik district from 12 noon to 6 p.m. Saturday, July 11, 1959.

Since immediate action is necessary in order to fully realize the benefits of this relaxation in existing regulations, notice and public procedure on this amendment are not in the public interest, and it shall become effective immediately (60 Stat. 237; 5 U.S.C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U.S.C. 221)

Dated: July 10, 1959.

DONALD L. MCKERNAN,  
Director, Bureau of  
Commercial Fisheries.

[F.R. Doc. 59-5855; Filed, July 13, 1959;  
2:21 p.m.]

## PART 104—BRISTOL BAY AREA

### Additional Fishing Time

*Basis and purpose.* The red salmon runs in the Nushagak and Egegik districts of Bristol Bay continue in sufficient strength so as to permit additional fishing time during the week ending July 19.

Therefore the provisions of § 104.9(a) and the announcement of the number of units of gear registered for fishing for the week ending July 19, 1959 notwithstanding, fishing is permitted in the Nushagak and Egegik districts from 9 a.m. Monday, July 13, to 9 p.m. Tuesday, July 14, and from 9 a.m. Thursday, July 16 to 9 p.m. Friday, July 17, 1959.

Since immediate action is necessary to effectuate these relaxations, notice and public procedure on this amendment are impracticable, and it shall become effective immediately upon publication in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U.S.C. 221).

Dated: July 13, 1959.

DONALD L. MCKERNAN,  
Director, Bureau of  
Commercial Fisheries.

[F.R. Doc. 59-5856; Filed, July 13, 1959;  
2:21 p.m.]

## Title 26—INTERNAL REVENUE, 1954

### Chapter I—Internal Revenue Service, Department of the Treasury

#### SUBCHAPTER E—ALCOHOL, TOBACCO, AND OTHER EXCISE TAXES

[T.D. 6395]

#### PART 240—WINE

##### Miscellaneous Amendments

##### Correction

In F.R. Doc. 59-5677, appearing at page 5539 of the issue for Thursday, July 9, 1959, the first sentence of § 240.534 should read as follows: "The carbon dioxide contained in wines shall be determined in accordance with authorized test procedures announced by the Director."

## NOTICES

## DEPARTMENT OF AGRICULTURE

## Commodity Credit Corporation

## SALES OF CERTAIN COMMODITIES

## July 1959 Monthly Sales List

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on credit sales made in July under the Export Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 4% percent per annum.

For periods over 6 months up to and including 18 months 4% percent per annum.

For periods over 18 months up to and including 36 months, 5% percent per annum.

## NOTICE TO BUYERS

If CCC does not have adequate information as to the financial responsibility of prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct.

If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the CSS Office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list. Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements which amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities

not up to specifications. These lots are offered promptly upon appearance by public notice issued by the appropriate CSS Office and therefore generally they do not appear in the Monthly Sales List.

## NOTICE TO EXPORT BUYERS

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office

in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service or judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic, unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

Commodity	Sales price or method of sale
Dairy products.....	All sales except butter for restricted domestic use under LD-31 are under LD-29 and amendments. All sales are in carlots only. As many as 3 buyers may participate in purchasing a single carlot. Domestic price: For unrestricted use price is "in store" <sup>1</sup> at storage locations of products. For restricted use price is on the basis of delivery f.o.b. cars at point of use named in offer. CCC will convert to "in store" price as provided in LD-29. Export prices are on the basis of delivery f.a.s. vessel or at buyers option f.o.b. cars point of export. If delivery is to be "in store" CCC will convert to "in store" price as provided in LD-29. During July, Commodity Credit Corporation's sales price for butter and nonfat dry milk for export shall be 8.0 cents per pound for non fat dry milk and 39.0 cents per pound for butter: <i>Provided, however,</i> That Commodity Credit Corporation's prices for these commodities if used to fulfill contractual commitments with foreign buyers entered into prior to February 1, 1959, shall be the export prices in effect for export sales of these products by Commodity Credit Corporation during the month of January 1959, unless an amendment to such contractual commitment is made providing for a decrease in the respective prices to the foreign buyers equal to the difference between Commodity Credit Corporation's January and July 1959 prices; <i>Provided also</i> That Commodity Credit Corporation's prices for these commodities if used to fulfill any contractual commitment entered into with foreign buyers during the period Feb. 1, 1959, and ended June 30, 1959, shall be the export sales price in effect for export sales of these products by CCC during such period; <i>Provided, further,</i> That Commodity Credit Corporation's prices for these commodities if used to fulfill any contractual commitments entered into prior to February 1, 1959, with U.S. Government Agencies which execute the certificates required by paragraph 11(c) of LD-29, shall be the export prices in effect for export sales of these products by Commodity Credit Corporation during the month of January 1959. Offers to purchase from Commodity Credit Corporation butter and nonfat dry milk for export shall state (1) "Offer is made pursuant to Announcement LD-29 and to the pricing and other conditions set forth in the July 1959 Monthly Sales List published in the FEDERAL REGISTER," (2) whether offer is to fulfill Public Law 480 commitments, and (3) either (a) date of contract of sale to foreign buyer of U.S. Government Agency, and, if such date is prior to February 1, 1959, whether the sales prices to the foreign buyers have been reduced as required or (b) the exportation of "dairy products purchased will not be pursuant to any sales or contract of sale made prior to July 1, 1959." Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office. Domestic, unrestricted use: 66.25 cents per pound, New York, Pennsylvania, New Jersey, New England and other States bordering the Atlantic Ocean and Gulf of Mexico. 65.5 cents per pound, Washington, Oregon, and California. All other States 65.25 cents per pound. Domestic, restricted use: For use as an extender for cocoa butter in the manufacture of chocolate and in such a manner as will not displace other dairy products from use in the manufacture of other products made from chocolate, 39 cents per pound. Export, unrestricted use: 39 cents per pound. Domestic, unrestricted use: Spray process, U.S. extra grade: In barrels and drums..... 16.0 In bags..... 15.15 Roller process, U.S. extra grade: In barrels and drums..... 14.00 In bags..... 13.15 Domestic, restricted use (animal and poultry feed): In barrels, drums, or bags, 10.65 cents per pound. Export, unrestricted use: Spray or roller process, U.S. extra grade, in barrels, drums, or bags, 8.0 cents per pound. Domestic, unrestricted use: 38.0 cents per pound for New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic and Pacific and Gulf of Mexico. All other States 37.0 cents per pound. Export, unrestricted use: 35 cents per pound. Cheese prices are subject to usual adjustments for moisture content. Domestic, unrestricted use: Competitive bid and under the terms and conditions of Announcement NO-C-5 (Revision 1), as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcements CN-EX-5 and NO-C-11, as amended. Domestic (unrestricted use) or export: Competitive bid and under the terms and conditions of Announcement NO-C-8, as amended, and NO-C-10, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Catalogs for upland and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office.
Butter.....	
Nonfat dry milk (spray, roller) as available.	
Cheddar cheese (cheddars, flats, twins, rindless blocks (standard moisture basis)).	
Cotton, upland.....	
Cotton, extra long staple.....	

See footnotes at end of table.

	Sales price or method of sale	Commodity
Oats, bulk.....	Domestic, unrestricted use; Market price, basis in store, <sup>2</sup> but not less than the 1968 applicable loan rate plus (1) a markup of 8 cents per bushel for oats in storage at point of production, (2) a markup of 8 cents per bushel and the rail freight from point of production to present point of storage for oats in storage at other than the point of production. Examples of the foregoing minimum prices per bushel including average paid-in-freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis respectively: Chicago, No. 3ats.....\$0.0974 Minneapolis, No. 3ats.....\$0.0714 Export: Under Announcement GR-212, revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-388 for Feed Grain Payment-In-Kind Program. Available Minneapolis, Evanson, Kansas City, Portland and Dallas OSS Commodity Offices.	Rye, bulk—Continued )  Grain sorghums, bulk.....
Wheat, bulk.....	Domestic, unrestricted use; Commercial wheat-producing area: Market price basis in store but not less than the 1969 applicable loan rates plus 16 cents per bu. if received by truck or (2) 11 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Examples of the foregoing minimum price per bushel (exrall or barge): Chicago, No. 1 RW.....\$2.23 Minneapolis, No. 1 DNS.....\$2.20 Kansas City, No. 1 HW.....2.23 Portland, No. 1 SW.....2.14 Noncommercial wheat-producing areas: Same basis as in commercial area except 43 percent of applicable support rate. Export (as wheat): Under Announcement GR-261 revised, as amended, for application to barter contracts and approved credit sales only at prices determined daily, and under Announcement GR-212 revised, amended, for specific offerings as announced. Disposals under Payment-In-Kind Program under Announcement GR-346. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland OSS Commodity Offices.	Rice, milled (as available)
Corn, bulk.....	Domestic, unrestricted use; Commercial corn-producing area: Market price, basis in store, <sup>2</sup> but not less than the 1968 applicable loan rate for grain produced in compliance with 1968 acreage allotments plus: (1) a markup of 20 cents per bushel for corn in storage at point of production, (2) a markup of 22 cents per bushel and the rail freight from point of production to the present point of storage for corn in storage at other than the point of production. Examples of the foregoing minimum price per bushel for No. 2 yellow corn 13.3 percent moisture and 1.4 percent foreign material including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively. Chicago.....\$1.78 Minneapolis.....1.014 Noncommercial corn-producing area: Market price, basis in store +, but not less than 33 percent of the applicable 1968 loan rate plus markups as above. Non-storable corn, unrestricted use, (as available); At other than bin sites, through the offices indicated below. At bin sites, through ASO County Offices. Export: Under Announcement GR-212, revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-388 for Feed Grain Payment-In-Kind Program. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland OSS Commodity Offices.	Dry edible beans (bagged) (as available).
Barley, bulk.....	Domestic, unrestricted use: Market price in store but not less than the 1969 applicable loan rate plus (1) 9 cents per bushel if received by truck or (2) 6 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrall or barge): Minneapolis, No. 2 or better.....\$1.06 Export: Under Announcement GR-212 revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-388 for Feed Grain Payment-In-Kind Program. Available Minneapolis, Evanson, Kansas City, Portland and Dallas OSS Commodity Offices.	Soybeans, bulk 1967 and 1968 crop (as available).
Rye, bulk.....	Domestic, unrestricted use: Market price basis in store but not less than the 1969 applicable loan rates plus (1) 12 cents per bushel if received by truck or (2) 7 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrall or barge): Minneapolis, No. 2 or better.....\$1.20	

See footnotes at end of table.

See footnotes at end of table.



Commodity	Sales price or method of sale								
Flaxseed, bulk (as available)-----	Domestic for crushing or export: Market price basis in store but not less than the 1958 crop support rate for grade No. 1 with 10.6-11.0 moisture. Premiums and discounts provided in loan bulletin to apply to other qualities. Available Portland and Minneapolis CSS Commodity Offices.								
Peanuts, shelled (as available)-----	Domestic, unrestricted use: 1958 support price plus 5 percent, adjusted for milling, plus reasonable carrying charges, but not less than market price. Examples of the foregoing minimum price per pound: <table> <tr> <td>Virginias:</td><td>Cents per pound</td></tr> <tr> <td>Extra large-----</td><td>24.60</td></tr> <tr> <td>Medium-----</td><td>22.53</td></tr> <tr> <td>No. 1-----</td><td>20.42</td></tr> </table> Domestic for crushing or export: Competitive bid under CCC Peanut Announcement 1, as amended. Available Dallas CSS Commodity Office.	Virginias:	Cents per pound	Extra large-----	24.60	Medium-----	22.53	No. 1-----	20.42
Virginias:	Cents per pound								
Extra large-----	24.60								
Medium-----	22.53								
No. 1-----	20.42								
Tung oil-----	Export: Competitive bid under Announcement CT-OP-10 by Cincinnati CSS Commodity Office.								
Burley tobacco-----	Domestic (unrestricted use) or export: Competitive bid under the terms and conditions of announcements issued and to be issued. These announcements cover various lots totaling about 10 million pounds. Copies of announcements issued may be obtained from the Tobacco Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C., or the Burley Tobacco Growers Cooperative Association, 620 South Broadway, Lexington, Ky.								
Gum rosin-----	Domestic, unrestricted use: Offer and acceptance basis, in galvanized metal drums (averaging 517 pounds net) in the stated quantities and on the designated storage yards, subject to the terms and conditions of Announcement TB-21-59 and supplements thereto which will be issued periodically during the month. Available through the American Turpentine Farmers Association Cooperative, Valdosta, Ga. Export: Competitive bid in storage, subject to Announcement TB-21-59 and weekly supplements thereto.								

<sup>1</sup> At the processor's plant or warehouse but with any prepaid storage and out-handling charges for the benefit of the buyer.

<sup>2</sup> In those counties in which grain is stored in CCC bin sites delivery will be made f.o.b. buyer's conveyance at bin sites without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements with the warehouse for storage documents.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427, sec. 203, 63 Stat. 901)

Issued: July 9, 1959.

WALTER C. BERGER,  
Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 59-5840; Filed, July 14, 1959; 8:48 a.m.]

## Office of the Secretary KANSAS AND TEXAS

### Designation of Counties Within Great Plains Area of Ten Great Plains States Where Great Plains Conservation Program Is Specifically Applicable

For the purpose of making contracts based upon an approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115-1117), the following counties of the following States are designated as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors.

Kingman.	KANSAS	Pratt.
Pawnee.		Rooks.
	MONTANA	
	Cascade.	
	TEXAS	
Baylor.		Throckmorton.
Sterling.		Wichita.

Done at Washington, D.C., this 10th day of July 1959.

TRUE D. MORSE,  
Acting Secretary.

[F.R. Doc. 59-5830; Filed, July 14, 1959; 8:47 a.m.]

## DEPARTMENT OF COMMERCE

### Office of the Secretary

THOMAS V. CARTOLANO

### Report of Appointment and Statement of Financial Interests

Report of appointment and statement of financial interests required by section 710(b) (6) of the Defense Production Act of 1950, as amended.

#### Report of Appointment

- 1) Name of appointee: Mr. Thomas V. Cartolano.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: July 1, 1959.
4. Title of position: Consultant (Administrative Adviser to Director).
5. Name of private employer: Chemical and Rubber Division, Charles Pfizer & Company, Inc., Brooklyn, N.Y.

CARLTON HAYWARD,  
Director of Personnel.

JUNE 4, 1959.

#### Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director

or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Charles Pfizer & Co., Inc.  
Bank deposits.

T. V. CARTOLANO.

JULY 2, 1959.

[F.R. Doc. 59-5831; Filed, July 14, 1959; 8:47 a.m.]

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

[643.3]

### ALUMINUM FOIL FROM WEST GERMANY

Notice That There Is Reason To Believe or Suspect Purchase Price Is Less or Likely To Be Less Than Foreign Market Value

JULY 9, 1959.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of unbacked converter-foil, "0.00065" gauge, manufactured by Aluminiumwerk Tscheulin GmbH, West Germany, is less, or likely to be less, than the foreign market value, as defined by section 203 and 205, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 164).

Customs officers are being authorized to withhold appraisement of entries of unbacked converter foil, "0.00065" gauge, manufactured by Aluminiumwerk Tscheulin GmbH, West Germany, pursuant to § 14.9 of the Customs Regulations (19 CFR 14.9).

[SEAL] RALPH KELLY,  
Commissioner of Customs.

[F.R. Doc. 59-5833; Filed, July 14, 1959; 8:47 a.m.]

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

### BRISTOL BAY, ALASKA

### Announcement of Units of Fishing Gear

In accordance with 50 CFR 104.9(c), announcement is made of the total number of units of gear registered for use in the salmon fishing districts of Bristol Bay as of 6 p.m. Friday, July 10, 1959, for the week ending July 19, 1959, as follows:

	Units
Kvichak-Naknek	150
Nushagak	280
Egegik	60
Ugashik	50

Dated: July 13, 1959.

DONALD L. MCKERNAN,  
Director, Bureau of  
Commercial Fisheries.

[F.R. Doc. 59-5857; Filed, July 13, 1959;  
2:21 p.m.]

## FEDERAL POWER COMMISSION

[Docket Nos. G-13033, G-17806]

### CARTER-JONES DRILLING CO., INC., ET AL.

#### Notice of Application, Consolidation of Proceedings, and Date of Hearing

JULY 9, 1959.

In the matters of Carter-Jones Drilling Company, Inc., Operator, et al., Docket Nos. G-13033, G-17806.<sup>1</sup>

Take notice that Carter-Jones Drilling Company, Inc., Operator, et al., (Applicant), an independent producer of natural gas, filed an application on February 9, 1959, in Docket No. G-17806 for permission and approval to abandon service pursuant to section 7 (b) of the Natural Gas Act, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant in its application in Docket No. G-13033 proposed to sell natural gas in interstate commerce to Tennessee Gas Transmission Company (Tennessee) from production in the North Ross Field, Starr County, Texas, pursuant to a gas sales contract dated July 26, 1957. Temporary authority was issued to Applicant by letter dated August 23, 1957, pursuant to § 157.28 of the Commission's regulations under the Natural Gas Act.

In Docket No. G-17806, Applicant seeks permission and approval to abandon the above-described service to Tennessee pursuant to section 7(b) of the Natural Gas Act for the reason that the available supply of natural gas is depleted to the extent that continuance of service is unwarranted and that continuance of operation is not economically feasible.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections

<sup>1</sup> The application in Docket No. G-13033 has been duly noticed by publication in the FEDERAL REGISTER on March 12, 1959 (24 F.R. 1816) in consolidation with: In the Matters of Sun Oil Company, et al., Docket Nos. G-12709, et al., hearing set for March 24, 1959. The subject application was severed from the consolidated proceeding, by notice of severance dated March 5, 1959, and hearing date postponed to a date to be fixed by further notice.

7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 10, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street N.W., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 30, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,  
Acting Secretary.

[F.R. Doc. 59-5815; Filed, July 14, 1959;  
8:45 a.m.]

[Docket Nos. G-18313-18316]

### MIDWESTERN GAS TRANSMISSION CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

#### Order Consolidating Proceedings and Fixing Date of Hearing

JULY 8, 1959.

In the matters of Midwestern Gas Transmission Co., Docket Nos. G-18313, G-18314, and G-18315; Michigan Wisconsin Pipe Line Co., Docket No. G-18316.

On April 15, 1959, Midwestern Gas Transmission Company (Midwestern) filed in Docket No. G-18313 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of facilities and the sales of natural gas as herein-after described.

Midwestern proposes to construct and operate approximately 504.1 miles of main transmission pipeline extending from a point of connection with proposed facilities of Trans-Canada Pipe Lines, Limited (Trans-Canada) at the United States-Canadian boundary near Emerson, Manitoba, and extending to Marshfield, Wisconsin, where such main transmission pipeline would connect with facilities of Michigan Wisconsin Pipe Line Company (Michigan Wisconsin).

Midwestern also proposes to construct and operate two compressor stations at Noyes and Staples, Minnesota, each having a rated capacity of 5,280 horsepower. In addition Midwestern proposes to construct and operate 56.1 miles of lateral pipelines and a total of 21 meter stations to serve prospective customers along the route of the main transmission pipeline.

Midwestern proposes to purchase approximately 204,000 Mcf of natural gas per day from Trans-Canada and seeks authority to make sales and deliveries thereof as follows:

Customer:	Third-year peak day deliveries (Mcf)
Michigan Wisconsin	158,000
Northern States Power Co.	29,200
Montana-Dakota Utilities Co.	4,000
United Petroleum Gas Co.	1,847
Village of Perham, Minn.	962
Village of Hawley, Minn.	705
Town of Ada, Minn.	1,102
Village of Argyle, Minn.	378
Village of Frazee, Minn.	565
Village of Hallock, Minn.	823
Village of Lake Park, Minn.	377
Village of New York Mills, Minn.	537
Village of Stephen, Minn.	407
	198,903

The estimated total cost of the facilities proposed to be constructed by Midwestern is \$52,297,000, and in connection therewith Midwestern proposes to issue the following securities:

	Percent
Pipeline bonds (5½%)	75.5
Unsecured notes, 1970	
(5%)	9.4
Common stock	15.1
	53,000,000

By its application filed on April 15, 1959, Docket No. G-18314, Midwestern requests authority pursuant to section 3 of the Natural Gas Act to import the 204,000 Mcf of natural gas per day which Midwestern proposes to purchase from Trans-Canada.

By its application filed on April 15, 1959, Docket No. G-18315, Midwestern seeks a Presidential Permit pursuant to Executive Order No. 10485 authorizing the construction, operation, maintenance and connection at the international border of facilities necessary for the importation of 204,000 Mcf of natural gas per day from Canada to the United States.

On April 15, 1959, Michigan Wisconsin, Docket No. G-18316, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of facilities and sales of natural gas hereinafter described.

Michigan Wisconsin proposes to construct and operate approximately 69.0 miles of 24-inch and 27.9 miles of 20-inch main transmission pipeline extending from Marshfield to Appleton, Wisconsin; 65.4 miles of 24-inch pipeline looping its existing pipeline system in Illinois, Indiana and Michigan between Michigan-Wisconsin's existing compressor stations 10 and Michigan "A"; 311 miles of pipeline of varying diameters between 4 and 16 inches; one new compressor station to be located at Marshfield, Wisconsin, having a rated capacity of 5,280 horsepower; and 23 metering stations.

The foregoing facilities are to be utilized for the receipt, transportation and sale of the 158,000 Mcf of natural gas per day which Midwestern proposes to deliver to Michigan Wisconsin as hereinbefore referred to.

The total estimated cost of the facilities proposed to be constructed by Michigan Wisconsin is \$24,177,000. Michigan Wisconsin proposes to finance the cost of construction through the issuance of First Mortgage Pipe Line Bonds.

Through the proposed facilities Michigan Wisconsin proposes to sell and deliver additional volumes of natural gas to its existing customers for distribution in presently served markets. It also proposes to deliver and sell natural gas to the following utility companies for distribution in communities which presently do not have natural gas service:

*Utility Company and Communities To Be Served*

City Gas Co.—Antigo, Wis.  
Merrill Gas Co.—Merrill, Wis.  
Peoples Gas Co.—Marshfield, Wis.  
Wisconsin Fuel and Light Co.—Wausau, Schofield, and Rothschild, Wis.  
Wisconsin Public Service Corp.—Stevens Point, Whiting, Park Ridge, Marinette, Oconto and Peshtigo, Wis., and Menominee, Mich.  
Wisconsin Rapids Gas and Electric Co.—Wisconsin Rapids, Biron, Port Edwards and Nekoosa, Wis.  
Central Wisconsin Gas Co.—Waupaca, Wis.  
Natural Gas Distributors, Inc.—Shawano, Clintonville, Hortonville, New London, Bear Creek, Embarrass, Bonduel, Gillett, Oconto Falls, Seymour and Weyauwega, Wis.

Michigan Wisconsin also proposes to sell and deliver natural gas at Menominee, Michigan to its affiliate, Michigan Consolidated Gas Company (Michigan Consolidated) for resale by the latter for ultimate consumption in the Upper Peninsula of Michigan where natural gas service presently is not available. Michigan Consolidated proposes to serve the following:

*Customer and Community or Area To Be Served*

City of Escanaba—Escanaba, Mich.  
Michigan Gas and Electric Co.—Marquette, Ishpeming, Negaunee, Iron Mountain, Kingsford, Norway and Gladstone, Mich.  
Cleveland Cliffs Iron Co.—Approximately 10 locations.

This order shall constitute the notice of the filing of the foregoing applications. Such applications, on file with the Commission, are open to public inspection.

The Commission finds: The applications filed in Docket Nos. G-18313, G-18314, G-18315 and G-18316 are inter-related and the proceedings upon such applications should be consolidated for purpose of hearing.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on July 27, 1959, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. concerning the matters involved in and the issues presented by the applications filed in Docket Nos. G-18313, G-18314, G-18315 and G-18316.

(B) Protests or petitions to intervene may be filed with the Commission, Washington 25, D.C., in accordance with the

rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 20, 1959.

By the Commission.

MICHAEL J. FARRELL,  
*Acting Secretary.*

[F.R. Doc. 59-5816; Filed, July 14, 1959;  
8:45 a.m.]

[Docket No. G-15988]

**MONLA GAS CO., INC., ET AL.**

**Notice of Application and Date of  
Hearing**

JULY 8, 1959.

Take notice that on August 14, 1958, Monla Gas Company, Inc., et al.,<sup>1</sup> (Applicants) filed in Docket No. G-15988 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon natural gas service to Southern Natural Gas Company (Southern Natural) from the W. C. Feazel, et al., Winger No. 1 Well in the Carlton Field Area of Ouachita Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The subject service is covered by a gas sales contract dated July 29, 1957, by and between Applicants and Southern Natural, on file as Monla Gas Company, Inc., et al., FPC Gas Rate Schedule No. 2, and was authorized by the Commission's order issued March 17, 1958, in Docket No. G-13281. Notice of cancellation of said gas sales contract, filed concurrently with the application herein, is on file as Supplement No. 1 to Monla Gas Company, Inc., et al., FPC Gas Rate Schedule No. 2.

Applicants state that production from the subject well has ceased due to depletion and that efforts to renew production have been unsuccessful.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 13, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein

<sup>1</sup> "Et al." parties are W. C. Feazel, Lallage Feazel, Gertrude Feazel Anderson and G. M. Anderson, known as Feazel Interests, and United Carbon Company.

provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 5, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,  
*Acting Secretary.*

[F.R. Doc. 59-5817; Filed, July 14, 1959;  
8:45 a.m.]

[Docket No. DA-974-Calif.]

**EARL C. SMITH AND POWER PROJECT  
LAND WITHDRAWAL**

**Finding of Commission and Partial  
Vacation of Withdrawal Under Sec-  
tion 24 of Federal Water Power Act**

JULY 7, 1959.

In the matter of land withdrawn in Power Site Reserve No. 268 and Project No. 866, Docket No. DA-974-California, Earl C. Smith.

An application was filed by Earl C. Smith, of Sacramento, California, for release from power withdrawal of the following-described land:

**MOUNT DIABLO MERIDIAN, CALIFORNIA**

T. 13 N., R. 9 E.,  
Sec. 34, lot 4.

The above-described land is located about a half mile north of the Middle Fork American River on the upper slopes of the canyon at elevations ranging from 1,400 feet to 1,800 feet, and about four miles upstream from the confluence of the North Fork and Middle Fork. The land is withdrawn in Power Site Reserve No. 268, dated April 29, 1912, as modified by Order of Restoration and Modification No. 245, dated June 29, 1917, and is also reserved, among other lands, pursuant to the filing on January 11, 1928, of an application for a preliminary permit for proposed Project No. 866, which application was rejected on August 21, 1930.

Proposed Project No. 866 contemplated the construction of a dam at the junction of the forks to create a reservoir having a flow line of 890 feet elevation. It appears from a study of the project maps that the proposed construction would not have affected the above-described land and that the land was reserved as a result of an erroneous placing of contour lines.

An application for restoration to entry of the above-described land was denied by the Commission on October 22, 1923 (Docket No. DA-52-California).

More recent power plans contemplate the construction of large multi-purpose dams on the main stem of the American River and its forks. Auburn dam, below the confluence of the Middle and North

Forks, has been given considerable consideration both by the Bureau of Reclamation, United States Department of the Interior, and the State of California. The California State Water Plan suggests an Auburn reservoir having a normal pool elevation of 920 feet or its alternative development—the Oregon Bar reservoir—with pool at 960 feet elevation, while the Bureau of Reclamation's plan for the Auburn site proposes a reservoir with flow line at 934.5 feet elevation.

Since the land is considerably above the flow line of past and present plans for development, its power value appears to be negligible.

The Commission finds:

(1) The existing power withdrawals pertaining to the land serve no useful purpose.

(2) The existing withdrawal pertaining to the land under Section 24 of the Federal Water Power Act pursuant to the filing of the application for a preliminary permit for proposed Project No. 866 should be vacated.

(3) It has no objection to revocation by the Secretary of the Interior of Power Site Reserve No. 268 insofar as such withdrawal affects said land.

The Commission orders: The existing power withdrawal pertaining to the above-described land under section 24 of the Federal Water Power Act pursuant to the filing of the application for a preliminary permit for proposed Project No. 866 is vacated.

By the Commission.

MICHAEL J. FARRELL,  
Acting Secretary.

[F.R. Doc. 59-5818; Filed, July 14, 1959;  
8:46 a.m.]

[Project No. 2145]

## PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASH.

### Notice of Application for Amendment of License

JULY 8, 1959.

Public notice is hereby given that Public Utility District No. 1 of Chelan County, Washington, of Wenatchee, Washington, has filed application under the Federal Power Act (16 U.S.C. 791a-825r) for amendment of the license for water-power Project No. 2145, located on the Columbia River in Chelan and Douglas Counties, Washington, to revise the clearing requirements for the project reservoir so that the sides and margins of the reservoir would be cleared between the horizontal plane established at elevation 698 feet (5 feet below the minimum pool) and an upper limit approximating the annual flood line of the reservoir and having a maximum forebay elevation at 710 feet.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which pro-

tests or petitions may be filed is August 10, 1959. The application is on file with the Commission for public inspection.

MICHAEL J. FARRELL,  
Acting Secretary.

[F.R. Doc. 59-5819; Filed, July 14, 1959;  
8:46 a.m.]

[Docket No. G-18808]

## UNION ELECTRIC CO.

### Notice of Application and Date of Hearing

JULY 8, 1959.

Take notice that Union Electric Company (Applicant), a Missouri Corporation, having its principal place of business at 315 North 12th Boulevard, St. Louis 1, Missouri, filed on June 17, 1959, an application pursuant to section 7(a) of the Natural Gas Act for an order directing Mississippi River Fuel Corporation (Mississippi) to increase its present allocation of natural gas of 10,000 Mcf to a stated demand of 14,000 Mcf per day by November 1, 1959.

Applicant states that it is engaged in the business of distributing and selling natural gas in Alton, Illinois and vicinity, and that its present allocation of gas is inadequate for the present and estimated future requirements of its natural gas customers. Applicant states that Alton is included in the rapidly expanding St. Louis metropolitan area where many of its residents are employed in the City of St. Louis and commute to their places of employment. Applicant further states that Alton is the home of several important industries which employ large numbers of people. Applicant further states that it has 2,106 applications for natural gas service, which it cannot supply under its existing allocations, and that 4,000 Mcf of natural gas per day would be required to supply the additional requirements of such applicants.

Applicant further alleges that under orders issued by the Illinois Commerce Commission, it is required, if it should obtain additional supplies of natural gas, to offer the increased supply of gas initially to dual fuel consumers of which 1,398 of the pending 2,106 applicants would be dual fuel customers.

The application is on file with the Commission and open for public inspection.

This matter should be heard and disposed of as promptly as possible under the applicable Rules and Regulations and to that end:

Docket No.	Field and location	Purchaser
G-14290.....	Northwest Sharon Field, Barber County, Kans.	Cities Service Gas Co.
G-14291.....	Acreage in Sutton County, Tex.	El Paso Natural Gas Co.
G-14295.....	Palo Blanco Field, Brooks County, Tex.	United Gas Company, Inc.
G-14296.....	Rush Creek Field, Weld County, Colo.	Kimball Gas Products Co.
G-14301.....	Mocane (Ridgeway) Field, Beaver County, Okla.	Northern Natural Gas Co.
G-14308.....	Coastal Field, Starr County, Tex.	Tennessee Gas Transmission Co.
G-14310.....	East White Point Field, San Patricio County, Tex.	Texas Eastern Transmission Corp.
G-14311.....	North-east Norman Field, Cleveland County, Okla.	Cities Service Gas Co.
G-14322.....	West Union District, Doddridge County, W. Va.	Columbian Carbon Co.
G-14328.....	Cabin Run Field, Doddridge County, W. Va.	Equitable Gas Co.
G-14333.....	McKinney Field, Clark County, Kans.	Northern Natural Gas Co.

See footnotes at end of document.

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held on September 15, 1959, at 10:00 a.m., e.d.s.t. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications.

Protests and petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 30, 1959.

MICHAEL J. FARRELL,  
Acting Secretary.

[F.R. Doc. 59-5820; Filed, July 14, 1959;  
8:46 a.m.]

[Docket No. G-14290]

## WALTERS DRILLING CO. ET AL. ;

### Notice of Applications and Date of Hearing

JULY 8, 1959.

In the matters of Walters Drilling Co., Operator, et al.,<sup>1</sup> Docket No. G-14290; Jocelyn-Varn Oil Co., Operator, et al.,<sup>2</sup> Docket No. G-14291; N. B. Hunt, Docket No. G-14295; Pan American Petroleum Corporation, Docket No. G-14296; Cabot Carbon Company, Docket No. G-14301; Delhi-Taylor Oil Corporation, Docket No. G-14308; Texaco Inc. formerly The Texas Company,<sup>3</sup> Docket No. G-14310; Billy Bridewell, Operator, et al.,<sup>4</sup> Docket No. G-14311; Empire Oil Company,<sup>5</sup> Docket No. G-14322; Cabin Run Gas Company,<sup>6</sup> Docket No. 14328; The Atlantic Refining Company,<sup>7</sup> Docket No. G-14333.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications, and any amendments thereto, which are on file with the Commission and open to public inspection.

The respective Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 10, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the Procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.3 or 1.10) on or before July 30, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,  
*Acting Secretary.*

<sup>1</sup>Walters Drilling Co., Operator, is a partnership composed of Robert F. Walters, W. N. Bartlett and Alfred James, III, filing for itself and on behalf of the following non-operators: Charles D. James, Robert H. Christy, Harold H. Anderson, Franklin J. Lundberg, Foster G. McGaw, Don T. McNeill, Michigan Oil Company, W. N. Bartlett and The Amsden Lumber Company. All are signatory seller parties to the subject gas sales contract.

<sup>2</sup>Jocelyn-Varn Oil Co., Operator, is filing for itself and on behalf of the nonoperator, Ashland Oil & Refining Company, and both are signatory seller parties to the subject gas sales contract.

<sup>3</sup>Application covers an amendatory agreement dated December 19, 1957, which adds additional acreage to a basic gas sales contract dated December 21, 1956. By letter filed May 6, 1959, Applicant informed the Commission that on and after May 1, 1959, its corporate name was changed from The Texas Company to Texaco Inc.

<sup>4</sup>Billy Bridewell, Operator, is filing for himself and on behalf of the following non-operators: J. G. Walker and Roy C. Gammill. All are signatory seller parties to the subject gas sales contract.

<sup>5</sup>Empire Oil Company, a partnership composed of N. L. Gribble and Carolyn E. Farr, proposes to sell natural gas from certain acreage pursuant to a letter agreement dated March 7, 1957, which adds additional acreage to a basic gas sales contract dated October 28, 1929, between W. B. Gribble, et al. (predecessors in interest to Applicant), sellers, and Columbian Carbon Company, buyer. Applicant is the only signatory seller party to the subject letter agreement through the signature of its Agent, P. Douglass Farr.

<sup>6</sup>Cabin Run Gas Company, Applicant, is a partnership composed of George J. Buft, Jr., Norman Myers, Francis J. Scott, Richard Ku-back, James F. Hutton, Thomas Carey, Mrs. Byron M. Pell, Mrs. S. R. Matthews, Dolores A. Bortusch, W. M. Rittman, Charles Myers, Peggy Buft, Milton H. Gordon, John F. Schrey, Samuel V. Geyer, Rebecca A. Baker, Harry E. Hill, Jr., Mattie E. Hill, Francis S. Heller, Eino F. Harple and Clarence E. Powell.

<sup>7</sup>Application covers an amendatory agreement dated December 6, 1957, which adds additional acreage to a basic gas sales contract dated July 15, 1957, as amended.

[F.R. Doc. 59-5821; Filed, July 14, 1959;  
8:46 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-141]

### STANFORD UNIVERSITY

#### Notice of Application for Utilization Facility License

Please take notice that Stanford University, Stanford, California, under section 104c of the Atomic Energy Act of 1954, has submitted an application for a license to construct and operate a 10-kilowatt (thermal) pool-type training and research reactor on the campus of Stanford University near Palo Alto, California. A copy of the application is available for public inspection in the AEC Public Document Room, located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 9th day of July 1959.

For the Atomic Energy Commission.

R. L. KIRK,  
*Deputy Director, Division of  
Licensing and Regulation.*

[F.R. Doc. 59-5812; Filed, July 14, 1959;  
8:45 a.m.]

[Docket No. 50-27]

### STATE COLLEGE OF WASHINGTON

#### Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of the proposed action with the Federal Register Division on June 22, 1959, the Atomic Energy Commission has issued Construction Permit No. CRR-37 authorizing State College of Washington to construct a 100 kilowatt pool-type research reactor on its campus in Pullman, Washington. Notice of the proposed action was published in the FEDERAL REGISTER on June 23, 1959, 24 F.R. 5121.

Dated at Germantown, Md., this 8th day of July 1959.

For the Atomic Energy Commission.

R. L. KIRK,  
*Deputy Director, Division of  
Licensing and Regulation.*

[F.R. Doc. 59-5813; Filed, July 14, 1959;  
8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 92]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 10, 1959.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c) (8)), and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC 986 (Deviation No. 1), KANSAS NEBRASKA EXPRESS, INC., 1229½ Union Avenue, Kansas City 1, Mo., filed July 1, 1959. Attorney for said carrier, Tom B. Kretsinger, 1014-18 Temple Building, Kansas City 6, Mo. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route, as follows: from Kansas City, Mo., over the Kansas Turnpike to junction U.S. Highway 75, thence over U.S. Highway 75 to junction U.S. Highway 36, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent route: from Kansas City over U.S. Highway 24 to junction U.S. Highway 73, thence over U.S. Highway 73 to junction U.S. Highway 36, thence west over U.S. Highway 36 to points within a 15 mile radius of Washington, Kans., and return over the same route.

By the Commission.

[SEAL] HAROLD D. McCoy  
*Secretary.*

[F.R. Doc. 59-5826; Filed, July 14, 1959;  
8:46 a.m.]

[Notice 278]

### MOTOR CARRIER APPLICATIONS

JULY 10, 1959.

The following applications are governed by the Interstate Commerce Com-



mission's special rules governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto. All hearings will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local d.s.t.), unless otherwise specified.

#### APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

##### MOTOR CARRIERS OF PROPERTY

No. MC 27648 (Sub No. 2), filed June 3, 1959. Applicant: EUGENE MERRITT SAVIN, P.O. Box 204, Townsend, Del. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Chestertown, Md., to Middletown, Del., and points within 10 miles of Middletown, and *refused or rejected shipments of fertilizer* on return. Applicant is authorized to conduct operations in Maryland and Delaware.

HEARING: September 15, 1959, at the offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 40.

No. MC 29886 (Sub No. 156), filed June 26, 1959. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles Pieroni, 523 Johnson Building, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, under 20 feet in length, from Santa Ana, Calif., to Fort Dodge, Iowa, and to points in Washington, Oregon, California, Arizona, New Mexico, Nevada, Idaho, Utah, Montana, Colorado, and Wyoming. Applicant is authorized to conduct operations throughout the United States.

HEARING: September 22, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 30837 (Sub No. 261) (CORRECTION), filed June 29, 1959, published July 8, 1959 issue of FEDERAL REGISTER. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, an Ohio corporation, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, Sundial House, 1821 Jefferson Place NW., Washington, D.C. Previous publication gave applicant's attorney's address as 1825 Jefferson Place NW., in error. The correct address is 1821 Jefferson Place NW., Washington, D.C.

No. MC 92983 (Sub No. 353), filed May 21, 1959. Applicant: ELDON MILLER, INC., 330 East Washington, Iowa City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from Olathe, Kans., to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, and Oklahoma. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North

Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

HEARING: July 28, 1959, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner C. Evans Brooks.

No. MC 92983 (Sub No. 359), filed June 16, 1959. Applicant: ELDON MILLER, INC., 330 East Washington, Iowa City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils*, in bulk, in tank vehicles, from Dupo, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, and Ohio. Applicant is authorized to conduct operations in Alabama, Arkansas, Colorado, Connecticut, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

HEARING: July 28, 1959, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner C. Evans Brooks.

No. MC 104128 (Sub No. 82), filed June 15, 1959. Applicant: CAMPBELL'S SERVICE, 2720 River Avenue, South San Gabriel, Calif. Applicant's attorney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, not exceeding 18 feet in length, and *boat trailers*, in truckaway service, from points in California to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, and Wyoming. Applicant is authorized to conduct operations in Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, Arkansas, Colorado, Florida, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming.

HEARING: September 23, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 106398 (Sub No. 119), filed May 20, 1959. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla., Mailing address: Box 8096-Dawson Station, Tulsa, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Corona, Calif., to points in the United States including Alaska. Applicant is authorized to conduct operations throughout the United States.

HEARING: September 30, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 106398 (Sub No. 126), filed June 11, 1959. Applicant: NATIONAL

TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla. Applicant's attorney: R. Y. Schureman, 634 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, not exceeding 18 feet in length, loaded in special rack boat trailers, from points in California to points in the United States, including Alaska and the District of Columbia. Applicant is authorized to conduct operations throughout the United States.

HEARING: September 23, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 108121 (Sub No. 3), filed May 15, 1959. Applicant: TRANSPORT STORAGE & DISTRIBUTING CO., a corporation, 74 Jackson Street, Seattle 4, Wash. Applicant's representative: Joseph O. Earp, 1912 Smith Tower, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor vehicles*, except trailers, in secondary movements, in truckaway service, restricted to traffic originating at points of manufacture or assembly in California, (a) from Kennewick, Wash., to points in Yakima, Kittitas, Benton, Franklin, Grant, Adams, Whitman, Garfield, Columbia, Walla Walla, Asotin, Klickitat, and Lincoln Counties, Wash., and to points in Oregon and Idaho; and (b) from Spokane, Wash., to points in Spokane, Whitman, Adams, Lincoln, Ferry, Stevens, Pend Oreille, Okanogan, Douglas, Grant, and Chelan Counties, Wash., and to points in Idaho and Montana; and (2) *Motor vehicles*, except trailers, in secondary movements, via truckaway service, (a) from Vancouver, Wash., to points in Washington and Oregon; (b) from Nampa, Idaho, to points in Idaho, Montana, Oregon, and Washington; (c) from Pocatello, Idaho, to points in Idaho, Montana, Oregon, Utah, and Wyoming; (d) from Ogden and Salt Lake City, Utah, to points in Idaho, Nevada, Utah and Wyoming; (e) from points in Nevada to points in Nevada and Utah; (f) from points in Montana to points in Idaho, Montana, and Wyoming; and (g) from points in Oregon to points in Idaho, Oregon, and Washington. Applicant is authorized to conduct operations in Idaho, Oregon, and Washington.

NOTE: Applicant states it now holds authority to transport New Automobiles from Kennewick and Spokane, Wash., to a portion of the above-sought destination territory. Applicant further states that the effect of (1) above would be to include such vehicles as trucks, tractors, truck tractors, and buses to the presently authorized destination territory and to expand the destination territory. Applicant requests that (1) and (2) above be restricted to the transportation of shipments which have had a prior movement in rail trailer-on-flat car service.

HEARING: September 14, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 109584 (Sub. No. 67), filed June 24, 1959. Applicant: ARIZONA-PACIFIC TANK LINES, 717 North 21st Avenue, Phoenix, Ariz. Applicant's at-

torney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups and liquid sugars*, in bulk, in tank vehicles, from Manteca, Spreckles and Woodland, Calif., to points in Douglas, Jackson, Josephine, Klamath and Lake Counties, Oreg., and *rejected and contaminated shipments*, on return. Applicant is authorized to conduct operations in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, and Washington.

**HEARING:** September 30, 1959, at the Federal Building, Los Angeles, Calif., before Joint Board No. 11, or if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 109772 (Sub No. 16), filed May 8, 1959. Applicant: ROBERTSON TRUCK-A-WAYS, INC., 7101 East Slauson Avenue, Los Angeles 22, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, except trailers, in secondary movements, in truckaway service, (1) from points in Wyoming to points in Idaho, Montana, Oregon, and Washington; (2) from points in Utah to points in Idaho, Oregon, and Washington; and (3) from points in Montana to points in Idaho, Montana, Oregon, and Washington. Applicant is authorized to conduct operations in California, Arizona, New Mexico, Nevada, Oregon, Utah, Colorado, Idaho, Montana, Washington, Wyoming, and Nebraska.

**HEARING:** September 10, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 109772 (Sub No. 17), filed June 5, 1959. Applicant: ROBERTSON TRUCK-A-WAYS, INC., 7101 East Slauson Avenue, Los Angeles 22, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, except trailers, in secondary movements, in truckaway service, from points in Nebraska, to points in Idaho, Oregon, and Washington. Applicant is authorized to conduct operations in California, Arizona, New Mexico, Nevada, Oregon, Utah, Colorado, Idaho, Montana, Washington, Wyoming, and Nebraska.

**HEARING:** September 11, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 111823 (Sub No. 9), filed April 29, 1959. Applicant: VON DER AHE VAN LINES, INC., 4601 Olive Street, St. Louis, Mo. Applicant's attorney: Harold G. Hernly, 1624 Eye Street, NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in California, on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Connecticut, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New

Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, and Wisconsin. Applicant is authorized to conduct operations in Missouri, Illinois, Kansas, Oklahoma, Arkansas, Tennessee, Kentucky, Minnesota, Iowa, Ohio, Indiana, Wisconsin, Michigan, Alabama, Colorado, Connecticut, Florida, Georgia, Louisiana, Maryland, Massachusetts, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, California, South Carolina, South Dakota, Texas, Virginia, and the District of Columbia.

**NOTE:** Applicant states that it proposes by this application to eliminate its gateway of the St. Louis, Mo. Commercial Zone in the transportation of household goods between its presently authorized territory and points in California.

**HEARING:** September 1, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 112020 (Sub No. 69), filed May 21, 1959. Applicant: COMMERCIAL OIL TRANSPORT, 1030 Stayton Street, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Alcoholic beverages*, including but not limited to wines, vermouths, liquors, spirits, and (2) *juices and juice concentrates*, in bulk, in tank vehicles, from points in California to points in New Mexico, Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, and Tennessee and *refused or rejected shipments* on return, except wines from Fresno, Calif., to Gallup, N. Mex. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

**HEARING:** September 3, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 113558 (Sub No. 8), filed June 8, 1959. Applicant: BELYEA TRUCK CO., 6800 South Alameda Street, Los Angeles 1, Calif. Applicant's attorney: Wyman C. Knapp, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Missiles, space vehicles, space satellites, launching guidance, monitoring, and control units, and parts thereof*, requiring special equipment and handling for their transportation; (b) *Launching guidance, monitoring and control units, and equipment and parts of such missiles, space vehicles, space satellites, launching guidance, monitoring, and control units, when such units and equipment and parts are transported incidental to, or are transported in con-*

*nection with, missiles, space vehicles, space satellites, and launching guidance, monitoring, and control units, requiring special equipment and handling for their transportation; and (c) Shipper-owned or government-owned trailers, empty, in return movement, when such trailers have been used in the outbound transportation of the foregoing commodities, between points in California, on the one hand, and, on the other, points in Colorado, Florida, Idaho, Illinois, Kansas, Maine, Nebraska, Ohio, South Dakota, Texas, Utah, Washington, and Wyoming.* Applicant is authorized to conduct operations in Arizona, Nevada, New Mexico, and California.

**HEARING:** September 24, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 118591 (Sub No. 2), filed May 14, 1959. Applicant: ALBERT R. HUEY, doing business as HUEY'S TRANSPORTATION, 11905 South Alameda, Los Angeles, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial refrigerators*, with or without glazed fronts or tops, with or without cooling or freezing apparatus, *cooling rooms, store display racks or stands, shelving, partitions or railings, check stands*, other than furniture, *turnstiles and flooring* for electronic equipment, all to be shipped uncrated, not in packages, from Los Angeles, Calif., to points in Arkansas, Colorado, Idaho, Montana, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming; and *rejected and returned shipments* of the above-described commodities, and *exempt commodities*, on return.

**HEARING:** September 21, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 118714 (Sub No. 2), filed May 14, 1959. Applicant: EDGAR S. PROCTOR, doing business as G & W TRANSPORTER, 623 East 59th Street, Los Angeles, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial refrigerators*, with or without glazed fronts or tops, with or without cooling or freezing apparatus, *cooling rooms, store display racks or stands, shelving, partitions or railings, check stands*, other than furniture, *turnstiles, and flooring* for electronic equipment, all to be shipped uncrated, not in packages, from Los Angeles, Calif., to points in Arkansas, Colorado, Idaho, Montana, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming; and *rejected and returned shipments* of the above-described commodities, and *exempt commodities*, on return.

**HEARING:** September 21, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 118991, filed June 12, 1959. Applicant: COAST TO COAST TRUCKING CO., a corporation, 856 Warner Street SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, 214 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and

B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between points in California and Arizona, on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Maryland, Virginia, West Virginia, Tennessee, Kentucky, Texas, Louisiana, Mississippi, Georgia, Florida, Alabama, North Carolina, South Carolina, and Arkansas. (2) Between points in Georgia, South Carolina and North Carolina, on the one hand, and, on the other, points in North Carolina, South Carolina, Maryland, Pennsylvania, New York, New Jersey, Virginia, West Virginia, Florida, and Texas. Applicant states the proposed transportation is restricted to serving Shippers Cooperative, Inc., under a continuing contract.

HEARING: September 28, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

#### MOTOR CARRIER OF PASSENGERS

No. MC 3647 (Sub No. 262), filed April 21, 1959. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a New Jersey corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between the junction of Massachusetts and Washington Avenues and the New York Central Railroad Station, both located in Haworth, N.J., from the junction of Massachusetts and Washington Avenues at the Haworth-Dumont municipal line over Massachusetts Avenue to the junction of Valley Road, thence over Valley Road to the junction of Haworth Avenue, thence over Haworth Avenue to the New York Central Railroad Station, and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in New York, New Jersey, Pennsylvania, Virginia, and the District of Columbia.

HEARINGS: October 23, 1959, at the New Jersey Board of Public Utility Commissioners, State Office Building, Raymond Boulevard, Newark, N.J., before Joint Board No. 119.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 25869 (Sub No. 9), filed July 2, 1959. Applicant: MYRON R. NOLTE AND MAURICE D. NOLTE, doing business as NOLTE BROS., Farnhamville, Iowa. Applicant's representative: Kenneth F. Dudley, 106 North Court Street, P.O. Box 557, Ottumwa, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Britt, Iowa, and *empty containers or other such incidental facilities* used in transporting malt beverages on return. Applicant is authorized to conduct operations in Iowa, Illinois, Indiana, Missouri, Nebraska, and Wisconsin.

No. MC 30319 (Sub No. 103), filed July 2, 1959. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY, a Texas Corporation, 810 North San Jacinto, P.O. Box 4054, Houston, Tex. Applicant's attorney: Edwin N. Bell, Esperson Building, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Marble Falls, Tex., and junction of Texas Highways 29 and 1431, over Texas Farm Road 1431, serving all intermediate points, including the town of Kingsland, Tex. Applicant is authorized to conduct operations in Louisiana and Texas.

No. MC 66562 (Sub No. 1520), filed July 6, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17, N.Y. Applicant's attorney: Robert C. Boozer, Railway Express Agency, Incorporated, 1220 The Citizens & Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities, including Class A and B explosives*, moving in express service, between Columbia, Tenn., and Loretto, Tenn., from Columbia over U.S. Highway 43 to Loretto, and return over the same route, serving the intermediate points of Mount Pleasant and Lawrenceburg, Tenn. Applicant indicates the proposed service is to be subject to the following conditions: 1. The service to be performed by applicant shall be limited to service which is auxiliary to, or supplemental of, air or railway express service. 2. Shipments transported by carrier shall be limited to those moving on through bills of lading or express receipts/covering, in addition to a motor carrier movement by carrier, an immediately prior or an immediately subsequent movement by rail or air. Applicant is authorized to conduct operations throughout the United States.

No. MC 107496 (Sub No. 141), filed July 6, 1959. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid synthetic resin*, in bulk, in tank vehicles, from Valley Park, Mo., to Little Rock, Ark., Milwaukee, Sheboygan and Fort Atkinson, Wis., and Denver, Colo. Applicant is authorized to conduct operations in Iowa, Illinois, Wisconsin, Minnesota, Missouri, Nebraska, South Dakota, North Dakota, Kansas, Ohio, Kentucky, Indiana, Colorado, Oklahoma, Arkansas, Louisiana, Texas, Michigan, and Pennsylvania.

No. MC 112020 (Sub No. 74), filed June 29, 1959. Applicant: COMMERCIAL OIL TRANSPORT, a corporation, 1030 Stayton Street, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resin*, in bulk, in tank vehicles, from Valley Park, Mo., to Oklahoma City, Okla. Applicant

is authorized to conduct operations in Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 114890 (Sub No. 17), filed July 6, 1959. Applicant: KENNETH CHILDRESS, doing business as C. E. REYNOLDS GASOLINE & CHEMICAL, 2209 Range Line, P.O. Box 331, Joplin, Mo. Applicant's attorney: Stanley P. Clay, 514 First National Building, P.O. Box 578, Joplin, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from La Platte, Nebr., to Atlas, Mo., and Tulsa, Okla. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas.

Note: Dual operations may be involved.

No. MC 115162 (Sub No. 49), filed July 6, 1959. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Evergreen, Ala. Applicant's attorney: Hugh R. Williams, 2284 West Fairview Avenue, Montgomery 2, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Reinforcing iron and steel*, from Mobile, Ala., to Pensacola, Fla. Applicant is authorized to conduct operations throughout the United States.

No. MC 115331 (Sub No. 18), filed July 2, 1959. Applicant: TRUCK TRANSPORT, INC., Highway 61-67, Crystal City, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from Birds Point, Mo., and points within four miles thereof, to points in Arkansas, Illinois, Kentucky, and Tennessee. Applicant is authorized to conduct operations in Arkansas, Illinois, Iowa, Kansas, Kentucky, Missouri, Oklahoma, and Tennessee.

No. MC 116272 (Sub No. 2), filed June 30, 1959. Applicant: REMO CIAVARELLA, doing business as REMO CARTAGE COMPANY, 6025 North Elston Avenue, Chicago, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Used baking pans*, between Lake Zurich, Ill., on the one hand, and, on the other, points in Illinois and Indiana, points in Clinton, Dubuque, Jackson, Scott, Muscatine, Louisa, Des Moines, Lee, Cedar, Johnson, Iowa, Poweshiek, Jasper, and Polk Counties, Iowa, points in Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, Jefferson, Ste. Genevieve, Perry, and Cape Girardeau Counties, Mo., points in Berrien, Cass, Saint Joseph, Branch, Hillsdale, Lenawee, Monroe, Wayne, Washtenaw,

Jackson, Calhoun, Kalamazoo, Van Buren, Allegan, Barry, Estlin, Ingham, Livingston, Oakland, Macomb, Saint Clair, Lapeer, Genesee, Shiawassee, Clinton, Ionia, Kent, Ottawa, Muskegon, Montcalm, Gratiot, Saginaw, and Tuscola Counties, Mich., and points in Grant, Lafayette, Green, Rock, Walworth, Kenosha, Racine, Milwaukee, Waukesha, Jefferson, Dane, Iowa, Sauk, Columbia, Dodge, Washington, Ozaukee, Sheboygan, Fond du Lac, Green Lake, Marquette, Adams, Juneau, Waushara, Winnebago, Calumet, Door, Kewaunee, Manitowoc, Brown, Outagamie, Waupaca, Portage, Wood, Marathon, Shawano, and Oconto Counties, Wis. Applicant states the proposed operations are limited to a transportation service to be performed under a continuing contract or contracts with Chicago Metallic Manufacturing Company, an Illinois corporation, and/or its subsidiary, Pan Coatings, Inc., an Illinois corporation. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Michigan, Missouri, and Wisconsin.

No. MC 118887 (Sub No. 1), filed June 29, 1959. Applicant: G. MELVIN BROWN, Route 5, Staunton, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone and sand*, in dump trucks, from rail sidings and rock and sand quarries located within one (1) mile of Harrisonburg, Va., to points in Pendleton County, W. Va.

NOTE: Applicant requests interline privilege at said rail sidings on shipments having an immediately prior movement by rail.

No. MC 118888 (Sub No. 1), filed June 29, 1959. Applicant: ELMER A. BAKER, Mt. Jackson, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone and sand*, in dump trucks, from rock and sand quarries located within 1 mile of Harrisonburg, Va., to points in Pendleton County, W. Va.

No. MC 119032, filed June 29, 1959. Applicant: WARREN C. LARSON, JR., 111 West Eighth Street, P.O. Box 2, Stillwater, Okla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., and Galveston, Tex., to Stillwater, Okla.

No. MC 119036, filed July 1, 1959. Applicant: WILLIAM HENRY MALLORY, doing business as MALLORY TRUCKING SERVICE, 523 North Spring, Palmyra, Mo. Applicant's attorney: Harold L. Volkmer, Court House, Hannibal, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, from Palmyra, Mo., to Quincy, Peoria, Moline, East Moline, Rock Island, Macomb, and Monmouth, Ill., and rejected shipments of rough lumber, on return.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub No. 258), filed March 26, 1959. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, General

Counsel, Law Department, Public Service Coordinated Transport (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special sightseeing and pleasure tours, (1) Between Newark, N.J., and Bear Mountain, West Point and Hyde Park, N.Y. (2) Between Newark, N.J., and Crystal Cave and Hershey, Pa. (3) Between Newark, N.J., and Philadelphia, Valley Forge and Doylestown, Pa. (4) Between Newark, N.J., and Philadelphia and Longwood Gardens, Kennett Square, Pa. (5) Between Newark, N.J., and Danbury, Conn., Bear Mountain and Monroe, N.Y. (6) Between Newark, N.J., and Shartlesville and Hershey, Pa. (7) Between Newark, N.J., and Philadelphia, and Bushkill Falls, Pa., and High Point Park, N.J. Applicant is authorized to conduct operations in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia.

NOTE: Applicant states as follows: Applicant now holds certificates from the Commission to operate individual trips between each of the above mentioned points. Applicant desires by this application to operate tours from Newark, N.J., to points outlined in (1) to (7), inclusive. Applicant further states: If the Commission should decide that applicant's present certificates are sufficient to permit tours, this application will be withdrawn.

No. MC 13300 (Sub No. 65), filed July 1, 1959. Applicant: CAROLINA COACH COMPANY, a corporation, 1201 South Blount Street, Raleigh, N.C. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Richmond, Va., and Petersburg Va.: from Richmond over Interstate Highway 95 (also known as Richmond-Petersburg Turnpike), to Petersburg, and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in Delaware, Maryland, New Jersey, New York, North Carolina, Virginia, and the District of Columbia.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 7242. Authority sought for purchase by ROY L. JONES, INC., 915 McCarty Avenue, Houston, Tex., and TEX-O-KAN TRANSPORTATION CO., INC., P.O. Box 4278, 221 Northeast 28th Street, Fort Worth, Tex., of portions of the operating rights of GULF SOUTH-WESTERN TRANSPORTATION COM-

PANY, Box 15096, Houston, Tex., and for acquisition by ROY L. JONES, Houston, Tex., and PAUL F. HEALY, Fort Worth, Tex., respectively, of control of such rights through the purchase. Applicants' attorneys: Austin L. Hatchell, 1009 Perry-Brooks Building, Austin, Tex., Reagan Sayers, Century Life Building, Fort Worth, Tex., and Joe G. Fender, Melrose Building, Houston 2, Tex. Operating rights sought to be transferred: (TO JONES) *Machinery, equipment, materials and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking-up thereof, as a *common carrier* over irregular routes, between points in Mississippi, Alabama, Georgia, and Florida, and between points in Alabama, Georgia, and Florida, on the one hand, and, on the other, points in New Mexico, Texas, Arkansas, and Louisiana; *machinery and equipment* used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, and *materials and supplies* used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, when moving to or from exploration, drilling, production, job, construction, and plant (including refining, manufacturing, and processing plant) sites, or storage sites, between points in Louisiana, New Mexico, and Texas, and between points in Texas, on the one hand, and, on the other, certain points in North Dakota; *machinery, equipment, materials, and supplies* used in, or in connection with, the drilling of water wells, between points in Arkansas, Louisiana, New Mexico, and Texas, between points in Mississippi, Alabama, Georgia, and Florida, between points in Alabama, Georgia, and Florida, on the one hand, and, on the other, points in New Mexico, Texas, Arkansas and Louisiana, and between points in Texas, on the one hand, and, on the other, certain points in North Dakota and South Dakota; (TO TEX-O-KAN) *machinery, equipment, materials, and supplies*, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe-lines, including the stringing and picking-up thereof, as a *common carrier* over irregular routes, between points in Arkansas, Louisiana, New Mexico, and Texas. ROY L. JONES, INC., is authorized to operate as a *common carrier* in Louisiana, Arkansas, Oklahoma, Mississippi, Texas,



New Mexico, Kansas, Missouri, Tennessee, South Dakota, and North Dakota. **TEX-O-KAN TRANSPORTATION CO., INC.**, is authorized to operate as a *common carrier* in Oklahoma, Kansas, New Mexico, Texas, Colorado, Wyoming, Utah, Montana, and Arkansas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7244. Authority sought for purchase by **RED STAR EXPRESS LINES OF AUBURN, INCORPORATED**, doing business as **RED STAR EXPRESS LINES**, 24 Wright Avenue, Auburn, N.Y., of the operating rights of **A. CIMPI EXPRESS LINES, INC. (HARRY OROPALLO, TRUSTEE)**, 134 York Street, Auburn, N.Y., and for acquisition by **JOHN BISGROVE**, also of Auburn, of control of such rights through the purchase. Applicants' attorney: P. Bateman Ennis, 417 Southern Building, Washington, D.C. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier*, over regular routes, between Ithaca, N.Y., and Geneva, N.Y., and between Ithaca, N.Y., and Auburn, N.Y., serving all intermediate and certain off-route points; *wool yarn, carpets, rugs, wrenches, tinners' snips, farm-implements parts, and fireplace accessories*, over irregular routes, from Auburn, N.Y., to New York, N.Y.; *wool, cotton, dyes, and petroleum products*, in containers, from New York, N.Y., to Auburn, N.Y. Vendee is authorized to operate as a *common carrier* in New Jersey, New York, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7245. Authority sought for control by **B. L. LAWRENCE**, doing business as **LAWRENCE TRANSPORTATION CO.**, Tioga, N. Dak., of **RENTAL SERVICE COMPANY, INC.**, Highway No. 2 North, Williston, N. Dak. Applicant's attorney: John R. Davidson, American State Bank Building, Williston, N. Dak. Operating rights sought to be controlled: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing or picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipelines, as a *common carrier* over irregular routes, from Williston, N. Dak., to points in Montana other than incorporated municipalities, and from points in Montana other than incorporated municipalities to Williston, N. Dak. Vendee is authorized to operate as a *common carrier* in North Dakota, Montana, and South Dakota. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7246. Authority sought for purchase by **YALE TRANSPORT CORP.**, 460 12th Avenue, New York 18, N.Y., of

a portion of the operating rights of **CHELSEA CONTRACTING & TRUCKING CO.**, 140 Third Street, Chelsea 50, Mass., and for acquisition by **YALE RENTAL CORP.** and, in turn, **BENJAMIN ESKOW, GERALD W. ESKOW** and **BURTON I. ESKOW**, all of New York, of control of such rights through the purchase. Applicants' attorneys: Herbert Burstein, 160 Broadway, New York 38, N.Y., and Morris E. Schneider, 20 Pemberton Square, Boston 8, Mass. Operating rights sought to be transferred: *General commodities*, with certain exceptions excluding household goods and including commodities in bulk, as a *common carrier* over regular routes between Concord, N.H., and Boston, Mass., serving all intermediate and certain off-route points. Vendee is authorized to operate as a *common carrier* in New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, Florida, Delaware, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7248. Authority sought for purchase by **CONSOLIDATED FREIGHTWAYS, INC. (WASH. CORP.)**, 431 Burgess Drive, Menlo Park, Calif., of the operating rights of **TRIANGLE TRANSFER COMPANY**, 901 East 13th Avenue, North Kansas City, Mo. Applicants' attorneys: Walter V. Huston, 4105 Main Street, Kansas City 11, Mo., and Eugene T. Lipfert, 431 Burgess Drive, Menlo Park, Calif. Operating rights sought to be transferred: *General commodities* with certain exceptions including household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in Kansas City and North Kansas City, Mo., Kansas City, Kans., and those within 15 miles of the named points. Vendee is authorized to operate as a *common carrier* in Utah, Idaho, Oregon, Nevada, Washington, California, Minnesota, Montana, North Dakota, Wisconsin, Illinois, Wyoming, Iowa, Arizona, Kentucky, Pennsylvania, West Virginia, New Mexico, and Colorado. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7249. Authority sought for purchase by **BINGHAMTON WAREHOUSE & TERMINAL, INC.**, Ninth and Market Streets, P.O. Box 127, Lemoyne, Pa., of the operating rights and property of **SPEEDWAY CARRIERS, INC. (H. WILLIAM KOCH, TRUSTEE)**, Route 15, Post Office Box 146, Selinsgrove, Pa., and for acquisition by **MAURICE E. SHAFER**, 223 North Front Street, Harrisburg, Pa., and **A. S. HAMILTON**, 144 Sutton Road, Ardmore, Pa., of control of such rights and property through the purchase. Applicants' attorneys: Beverly S. Simms, 612 Barr Building, Washington, D.C., Robert H. Shertz, 811 Lewis Tower, Philadelphia, Pa., and Carpenter & Carpenter, Newberry Building, Sunbury, Pa. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes, between Williamsport, Pa., and New York, N.Y., between specified points in Pennsylvania,

between Reading, Pa., and Baltimore, Md., and between New York, N.Y., and Reading, Pa., serving certain intermediate and off-route points; three alternate routes for operating convenience only; *general commodities*, over irregular routes, between certain points in New Jersey, on the one hand, and, on the other, New York, N.Y.; *general commodities*, with certain exceptions including household goods and commodities in bulk, between certain points in Pennsylvania, with the restriction that this authority shall not be utilized to render service between any two points which carrier may serve in performance of the regular route operations authorized in Certificate No. MC 62350 Sub 8, and all irregular route operations authorized in this certificate shall be conducted in connection with carrier's regular route operations in said certificate and shall not be construed as an independent irregular route authority; *wearing apparel, wearing apparel materials, and tablecloths*, between Pottsville, Pa., and points within 30 miles thereof, on the one hand, and, on the other, Baltimore, Md., and Washington, D.C. Vendee is authorized to operate as a *common carrier* in New York, Pennsylvania, Maryland, Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7250. Authority sought for purchase by **W. R. STUBBS**, 1501 West Main, P. O. Box 160, Henryetta, Okla., of the operating rights of **W. E. ELLIS AND H. J. ELLIS**, doing business as **ELLIS TRANSPORTATION COMPANY**, P.O. Box 360, Henryetta, Okla. Applicants' representative: W. R. Stubbs, 1501 West Main, Henryetta, Okla. Operating rights sought to be transferred: *Doors, glazed windows, plywood, moulding, window frames and parts thereof, window glass and plate glass, empty containers, store fixtures, and insulation board*, as a *common carrier*, over irregular routes, from Henryetta, Okla., and points within 5 miles thereof to points in Arkansas, Kansas and Missouri; *putty and used store fixtures*, from points in Arkansas, Kansas, and Missouri to Henryetta, Okla., and points within 5 miles thereof. Vendee is authorized to operate as a *common carrier* in Oklahoma and Arkansas. Application has not been filed for temporary authority under section 210a(b).

#### MOTOR CARRIERS OF PASSENGERS

No. MC-F 3240 (correction) (**THE CANADA COACH LINES, LIMITED AND NIAGARA SCENIC BUS LINES, INC.—POOLING**), published in the July 8, 1959, issue of the **FEDERAL REGISTER** on page 5522. The date of filing of the petition should have read April 15, 1959.

No. MC-F 7243. Authority sought for purchase by **CAPITOL BUS COMPANY**, Fourth and Chestnut Streets, Harrisburg, Pa., of the operating rights and property of **LEONARD D. DICKINSON (LAURANCE D. DICKINSON AND M. LUCILLE DENSON, CO-EXECUTORS)**, doing business as **THE L. D. DICKINSON MOTOR COACH LINES**, 138 Main Street, Owego, N.Y., and for acquisition



by JOSEPH L. MAGUIRE and JOHN T. MAGUIRE, both of Harrisburg, of control of such rights and property through the purchase. Applicants' attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington, D.C. Operating rights sought to be transferred: *Passengers and their baggage, and express, newspapers and mail* in the same vehicle with passengers, as a *common carrier* over regular routes, between Binghamton, N.Y., and Waverly, N.Y., and between Binghamton, N.Y., and Ithaca, N.Y., serving all intermediate points; *passengers and their baggage*, in the same vehicle with passengers, between Elmira, N.Y., and Waverly, N.Y., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Pennsylvania, Maryland, New York, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7247. Authority sought for purchase by DENVER-COLORADO SPRINGS-PUEBLO MOTOR WAY, INC., Travel Center Building, Denver, Colo., of a portion of the operating rights and certain property of AMERICAN BUSLINES, INC., 1341 P Street, Lincoln 8, Nebr., and for acquisition by TRANS-CONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas 7, Tex., and AMERICAN BUSLINES, INC., 1341 P Street, Lincoln 8, Nebr., of control of such rights and property through the purchase. Applicants' attorneys: R. Granville Curry and Frederick Dolan, both of 831 Southern Building, Washington 5, D.C. Operating rights sought to be transferred: *Passengers and their baggage, and express, mail, and newspapers* in the same vehicle with passengers, as a *common carrier* over regular routes, between Denver, Colo., and Lafayette, Colo., between Lafayette, Colo., and Billings, Mont., between junction Colorado Highway 185 (U.S. Highway 87) and U.S. Highway 34, (5 miles east of Loveland, Colo.) and Wellington, Colo., with service at the junction of Colorado Highway 185 (U.S. Highway 87) and U.S. Highway 34 for the purpose of joinder only, between Billings, Mont., and Sheridan, Wyo. (subject to such limitations, restrictions, or modifications as the Commission may find it necessary to impose in order to insure that the service shall be auxiliary or supplementary to train service of the Chicago, Burlington & Quincy Railroad Company, and shall not unduly restrain competition), between Ranchester, Wyo., and Greybull, Wyo., during the season extending from the first day of June to the 31st day of October, inclusive, between Sheridan, Wyo., and Moorcroft, Wyo., between Moorcroft, Wyo., and Newcastle, Wyo., between Cheyenne, Wyo., and Belle Fourche, S. Dak., between Mule Creek, Wyo., and junction U.S. Highway 18 and U.S. Highway 85, between Mule Creek, Wyo., and Hot Springs, S. Dak., between Hot Springs, S. Dak., and Deadwood, S. Dak., and between Newcastle, Wyo., and Rapid City, S. Dak., serving certain intermediate and off-route points; alternate route for operating convenience only between junction Colorado High-

ways 185 and 7 (junction U.S. Highway 87 and Colorado Highway 7) (6 miles east of Lafayette, Colo.), and Loveland, Colo. Vendee is authorized to operate as a *common carrier* in Colorado, and as a *broker* at Denver, Colorado Springs and Pueblo, Colo., covering the transportation of *passengers* to all points in 48 States and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 59-5827; Filed, July 14, 1959;  
8:46 a.m.]

[Rev. S.O. 562; Taylor's I.G.C. Order 103-A]

### DETROIT AND TOLEDO SHORE LINE RAILROAD CO.

#### Rerouting or Diversion of Traffic

Upon further consideration of Taylor's I.C.C. Order No. 103 and good cause appearing therefor:

*It is ordered, That:*

(a) Taylor's I.C.C. Order No. 103, be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 9:00 a.m., July 8, 1959.

*It is further ordered,* That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the FEDERAL REGISTER.

Issued at Washington, D.C., July 8, 1959.

INTERSTATE COMMERCE  
COMMISSION,  
CHARLES W. TAYLOR,  
Agent.

[F.R. Doc. 59-5828; Filed, July 14, 1959;  
8:47 a.m.]

### FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 10, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 35537: *Rice and rice products within and from points in the southwest.* Filed by Southwestern Freight Bureau, Agent (No. B-7577), for interested rail carriers. Rates on clean and rough rice, rice meal, rice meal feed, rice flour, rice bran, rice polish, rice hulls, and rice mill screenings, carloads, from points in Arkansas, Louisiana, and Texas, also Memphis, Tenn., to points in southwestern, western trunkline, Illinois, official, and official-southern border territories.

Grounds for relief: Short-line distance formulas. Competition of unregu-

lated motor trucks. Maintenance of higher level rates at intermediate points in southern territory on routes in part through that territory.

Tariffs: Southwestern Freight Bureau, Agent, tariff I.C.C. 4326. Supplement 154 to Southern Freight Association, Agent, tariff I.C.C. 426 (Marque series).

FSA No. 35538: *Tall oil heads between southern and official territories.* Filed by O. W. South, Jr., Agent (SFA No. A3823), for interested rail carriers. Rates on tall oil heads, crude (residual product from tall oil operations), carloads between points in southern territory, on the one hand, and points in trunk line (including Buffalo-Pittsburgh zone) and New England territories, on the other.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 371 to Trunk Line Territory Tariff Bureau tariff I.C.C. A-726 (Boin series).

FSA No. 35539: *Water-motor rates—freight loaded in containers—Seatrains Lines, Inc.* Filed by Seatrain Lines, Inc. (No. 9) for interested carriers. Rates on various commodities loaded in containers of Seatrain Lines, Inc., between points in New Jersey grouped with New Brunswick or Wharton, N.J., on the one hand, and points in Louisiana grouped with and taking New Orleans, La., basis of rates, on the other.

Grounds for relief: Rail-water, water-rail, and rail-water-rail competition.

Tariff: Supplement 11 to Seatrain Lines, Inc. tariff I.C.C. 165.

FSA No. 35540: *Beverages—Milwaukee and Waukesha, Wis., to the southwest.* Filed by Southwestern Freight Bureau, Agent (No. B-7584), for interested rail carriers. Rates on beverages, flavored or phosphated, noibn, as described in the application, straight or mixed carloads from Milwaukee and Waukesha, Wis., to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Grounds for relief: Competition of local bottlers in the destination territory. Potential competition of shipper-operated motor trucks from origins.

Tariff: Southwestern Freight Bureau tariff I.C.C. 4327.

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 59-5825; Filed, July 14, 1959;  
8:46 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### LEARNER EMPLOYMENT CERTIFICATES

#### Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), Administrative Order No. 485 (23 F.R. 200) and Administrative Order No.

507 (23 F.R. 2720), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

**Apparel Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Blakely Manufacturing Corp., Highway No. 62, Blakely, Ga.; effective 7-4-59 to 7-3-60 (washable service garments).

Carwood Manufacturing Co., Division of Chadbourn Gotham, Inc., Winder, Ga.; effective 6-28-59 to 6-27-60 (men's and boys' work pants and shirts).

Elder Manufacturing Co., Dexter, Mo.; effective 6-23-59 to 6-22-60 (men's and boys' sport shirts, and boys' slacks).

Fox Knapp Manufacturing Co., Laurel Street, Tremont, Pa.; effective 6-24-59 to 6-23-60 (men's and boys' sportswear and outerwear).

Fox Knapp Manufacturing Co., East Pottsville Street, Pine Grove, Pa.; effective 6-24-59 to 6-23-60 (men's and boys' sportswear and outerwear).

Fox Knapp Manufacturing Co., Maple and Race Streets, Milton, Pa.; effective 6-30-59 to 6-29-60 (men's and boys' sportswear and outerwear).

Frayne Sportswear Manufacturers, Inc., 2202 North Howard Avenue, 1911-12th Avenue, Tampa, Fla.; effective 6-22-59 to 6-21-60. Learners may not be employed at special minimum wage rates in the production of separate skirts (women's and children's slacks, shorts, jackets, etc.).

Jamestown Shirt Corp., Jamestown, Tenn.; effective 7-3-59 to 7-2-60 (men's and boys' sport shirts).

Joyner-Fields, Inc., Sherman, Miss.; effective 6-22-59 to 6-21-60 (men's and boys' sport shirts).

Kent Uniforms, Inc., Burkesville, Ky.; effective 6-30-59 to 6-29-60 (nurses' and waitresses' uniforms).

Metric Shirt Corp., Belton, S.C.; effective 6-18-59 to 6-17-60 (dress and sport shirts). Mid-South Industries, Hackleburg, Ala.; effective 6-22-59 to 6-21-60 (boys' sport shirts).

Model Sportswear, Inc., 305 Holland Street, Shelbyville, Tenn.; effective 6-30-59 to 6-29-60 (men's and boys' sportswear).

Norann Manufacturing Co., Inc., 140 East Center Street, Nesquehoning, Pa.; effective 6-22-59 to 6-21-60 (women's and misses' dresses).

Paulsboro Dress Co., Delaware Street and Lodge Avenue, Paulsboro, N.J.; effective 6-26-59 to 6-25-60 (women's dresses).

Phillips-Van Heusen Corp., Barnesboro, Pa.; effective 6-26-59 to 6-25-60 (sport shirts).

Princess Peggy, Inc., 1001 Southwest Adams Street, Peoria, Ill.; effective 6-22-59 to 6-21-60 (women's cotton house dresses).

Reliance Dress Factory No. 48, Thayer, Mo.; effective 6-20-59 to 6-19-60 (ladies' cotton and rayon dresses).

Roberts Manufacturing Co., Inc., 304 South First Street, Ponca City, Okla.; effective 6-17-59 to 6-16-60 (ladies', girls' and boys' denim and twill jeans).

Siceloff Manufacturing Co., Inc., East Second Avenue, Lexington, N.C.; effective 6-26-59 to 6-25-60 (men's and boys' single pants, work shirts, overalls, etc.).

Henry I. Siegel Co., Gleason, Tenn.; effective 6-23-59 to 6-22-60 (men's and boys' pants).

Standard Shirt Co., McClure, Snyder County, Pa.; effective 6-18-59 to 6-17-60 (pajamas).

Statham Garment Corp., Statham, Ga.; effective 6-22-59 to 6-21-60 (trousers).

Sweet-Orr and Co., Inc., 68 First Street SW., Pulaski, Va.; effective 6-24-59 to 6-23-60 (men's and boys' pants).

Williamson-Dickie Manufacturing Co., Eagle Pass, Tex.; effective 7-1-59 to 6-30-60 (denim dungarees and jackets).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Apparel Manufacturing Corp., 112 South Center Street, Mebane, N.C.; effective 6-26-59 to 6-25-60; 10 learners (children's dresses).

Bryan Infants' Wear, Inc., 712 South Wheeling, Tulsa, Okla.; effective 6-25-59 to 6-24-60; 5 learners (infants' wear—nightgowns, sunsuits, topser sets, etc.).

Central Apparel Corp., 2409 North Main Street, Danville, Va.; effective 6-16-59 to 6-15-60; 10 learners (women's and children's sportswear).

J. R. Davis Manufacturing Co., Beaver Springs, Pa.; effective 6-29-59 to 6-28-60; 6 learners (car coats and outerwear).

Freeland Dress Co., Inc., 721 Birkback Street, Freeland, Pa.; effective 6-16-59 to 6-15-60; 10 learners (children's dresses).

Grandeur Fashions, Inc., 204 Oliver Street, Sweyersville, Pa.; effective 6-17-59 to 6-16-60; 5 learners (women's dresses).

Gross Galesburg Co., North Main Street, Chariton, Iowa; effective 6-25-59 to 6-24-60; 10 learners (work pants and shirts).

Guin Garment Corp., Guin, Ala.; effective 6-8-59 to 6-7-60; 10 learners (boys' shirts).

Guinn Manufacturing Co., Dawson, Ga.; effective 6-23-59 to 6-22-60; 10 learners (shirts).

Jay Fashions, Inc., 26 Academy Street, Warrior Run, Pa.; effective 6-22-59 to 6-21-60; 10 learners (dresses).

J.B.C. Company of Madera, Madera, Pa.; effective 6-30-59 to 6-29-60; 10 learners (men's and boys' trousers).

Jonny-Jax, Inc., Holsopple, Pa.; effective 6-29-59 to 6-28-60; 10 learners (children's jackets).

Nahas of Texas, Inc., 10 Second Street SW., Paris, Tex.; effective 6-29-59 to 6-28-60; 10 learners (children's lingerie).

Pocomoke Garment Co., Inc., Pocomoke City, Md.; effective 6-15-59 to 6-14-60; 6 learners (men's, women's and children's pajamas).

Southern Sportswear Manufacturers, Inc., 2202 North Howard Avenue, Tampa, Fla.; effective 6-23-59 to 6-22-60; 6 learners (women's and children's sportswear).

Sparta Garment Co., Inc., Sparta, Ga.; effective 6-29-59 to 6-28-60; 10 learners (replacement certificate) (men's and boys' pants).

Yori Joy Sportswear, Inc., 1301 Jefferson Avenue, Windber, Pa.; effective 6-20-59 to 6-19-60; 10 learners (men's and children's jackets).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Bali Bra Manufacturing Co., Inc., 2445 Bedford Street, Johnstown, Pa.; effective 6-22-59 to 12-21-59; 100 learners (brassieres).

Carbon Hill Manufacturing Corp., Carbon Hill, Ala.; effective 6-29-59 to 12-28-59; 25 learners (boys' dress slacks).

Charlton Manufacturing Co., Charleston, Miss.; effective 6-15-59 to 12-14-59; 50 learners (boys' shirts).

The H. W. Gossard Co., 105 North Franklin, Bicknell, Ind.; effective 6-19-59 to 12-18-59; 10 learners (girdles and brassieres).

Jamestown Shirt Corp., Jamestown, Tenn.; effective 6-23-59 to 12-22-59; 100 learners (men's and boys' sport shirts).

Jersey Shore Sylvania Manufacturing Co., Plant No. 2, Bellefont and Commerce Streets, Lock Haven, Pa.; effective 6-22-59 to 12-21-59; 10 learners. Learners may not be engaged at special minimum wage rates in the production of separate skirts (ladies' sportswear).

Kent Uniforms, Inc., Burkesville, Ky.; effective 6-25-59 to 12-24-59; 25 learners (nurses and waitresses uniforms).

Macon Manufacturing Corp., Tuskegee, Ala.; effective 6-22-59 to 12-21-59; 25 learners (women's sportswear).

Hank Mann, Inc., 2506 North General Bruce Drive, Temple, Tex.; effective 6-17-59 to 12-16-59; 40 learners (boys' single pants).

Page Manufacturing Co., Inc., 508 West Main Street, Lexington, Ky.; effective 6-30-59 to 12-29-59; 20 learners (ladies' cotton dresses).

Henry I. Siegel Co., Gleason, Tenn.; effective 6-23-59 to 12-22-59; 50 learners (men's and boys' pants) (supplemental certificate).

Troup Industries, Box 108, West Point, Ga.; effective 6-18-59 to 12-17-59; 50 learners (ladies' sportswear).

Yunker Manufacturing Co., Inc., 315 Ann Street, Parkersburg, W. Va.; effective 6-18-59 to 12-17-59; 35 learners (infants' cotton apparel).

**Cigar Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.80 to 522.85, as amended).

Bayuk Cigars, Inc., Second and Washington Streets, Steelton, Pa.; effective 6-29-59 to 6-28-60; 10 percent of the total number of factory production workers for normal labor turnover purposes.

**Glove Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.66, as amended).

Riegel Textile Corp., Greenville, Ala.; effective 6-8-59 to 6-7-60; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Boardstown, Ill.; effective 6-18-59 to 6-17-60; 10 percent of the total number of factory production workers engaged in authorized learner occupations for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Philadelphia, Miss.; effective 6-8-59 to 6-7-60; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Brookville Glove Manufacturing Co., Inc., Foundry Avenue, Indiana, Pa.; effective 6-11-59 to 6-10-60; 10 learners (cotton work gloves).

Dinberg Glove Corp., 215 Gilvert Street, Ogdensburg, N.Y.; effective 6-8-59 to 6-7-60; 3 learners (youths', men's, and women's lined leather gloves).

Ideal Glove Co., Inc., Maben, Miss.; effective 6-15-59 to 6-14-60; 5 learners (work gloves).

Tex-Sun Glove Co., Fairfield, Tex.; effective 6-8-59 to 6-7-60; 10 learners (work gloves).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

The Boss Manufacturing Co., Oneida, Tenn.; effective 6-27-59 to 12-26-59; 25 learners (work gloves).

Wells Lamont Corp., Philadelphia, Miss.; effective 6-8-59 to 12-7-59; 20 learners (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

Bisher Hosiery Mills, Inc., Denton, N.C.; effective 6-25-59 to 6-24-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Elizabeth City Hosiery Mills, Elizabeth City, N.C.; effective 6-25-59 to 12-24-59; 14 learners for plant expansion purposes (ladies' full-fashioned and circular knit nylon hosiery).

Lynne-Knit Hosiery Mills, Inc., North South Street, Mount Airy, N.C.; effective 6-25-59 to 12-24-59; 6 learners for plant expansion purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Bluemont Knitting Mills, Inc., Galax, Va.; effective 6-19-59 to 12-18-59; 10 learners for plant expansion purposes (knit shirts, pajamas).

Carmi Ainsbrooke Corp., Olney, Ill.; effective 7-3-59 to 7-2-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's woven undershorts).

Gibbs Underwear Co., Lincolnton, N.C.; effective 6-23-59 to 12-22-59; 60 learners for plant expansion purposes (knit underwear and sleepwear).

Hamlet Products Co., 323 East Hamlet Avenue, Hamlet, N.C.; effective 6-15-59 to 9-16-59; 10 learners for plant expansion purposes (ladies' lingerie).

Ithaca Textiles, Inc., 402 East State Street, Ithaca, N.Y.; effective 6-19-59 to 12-18-59; 35 learners for plant expansion purposes (Women's knitted acetate nylon sleepwear, briefs, slips, etc.).

J. H. Rohrer Textile Co., Inc., New Ringgold, Pa.; effective 6-30-59 to 6-29-60; 5 learners for normal labor turnover purposes (men's, women's, and children's underwear and sleepwear).

Wolverine Knitting Mills, 120 North Jackson Street, Bay City, Mich.; effective 7-1-59 to 6-30-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's, women's and children's underwear and sleepwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Belfast Canning Co., Belfast, Maine; effective 6-22-59 to 12-21-59; 8 learners for normal labor turnover purposes in the occupation of sardine packer for a learning period of 160 hours at the rates of at least 85 cents an hour for the first 80 hours and not less than 90 cents an hour for the remaining 80 hours (sardines).

William Underwood Co., Yarmouth, Maine; effective 6-16-59 to 12-15-59; 10 percent of the total number of factory production workers for normal labor turnover purposes in the occupation of sardine packer for a learning period of 160 hours at the rates of

at least 85 cents an hour for the first 80 hours and 90 cents an hour for the remaining 80 hours (sardines).

Wolverine Hat & Cap Manufacturing Co., Inc., Reform, Ala.; effective 6-30-59 to 12-29-59; 5 learners for normal labor turnover purposes in the occupation of sewing machine operator, for a learning period of 240 hours at the rate of 90 cents an hour (caps).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Barry Corp., Santurce, P.R.; effective 6-23-59 to 12-22-59; 20 learners for plant expansion purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 57 cents an hour for the first 240 hours and 66 cents an hour for the remaining 240 hours (fabric gloves).

Becton, Dickinson Inc. of Puerto Rico, Juncos, P.R.; effective 6-15-59 to 12-14-59; 10 learners for plant expansion purposes in the occupations of first test tubes; shake-down and rack for point; run through for point; point and unrack; chart and second machine test; wax; scale; numbers; names and serials; blot and dip bulbs; etch and clean; paint and polish; inspect engraving; rack for certify; run through for certify; certify and repair defective engraving, each for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 86 cents an hour for the remaining 240 hours (clinical thermometers).

Comerio Shoe Corp., Comerio, P.R.; effective 5-28-59 to 9-8-59; 25 learners for plant expansion purposes in the occupations of machine stitchers; side zig-zag; french cord binding; space row; close back; back stay; counter pocket, each for a learning period of 480 hours at the rates of 47 cents an hour for the first 240 hours and 53 cents an hour for the remaining 240 hours (shoes).

Rico Glove Corp., Cayey, P.R.; effective 6-15-59 to 12-14-59; 16 learners for plant expansion purposes in the occupation of machine sewing for a learning period of 480 hours at the rates of 57 cents an hour for the first 240 hours and 66 cents an hour for the remaining 240 hours (fabric gloves and leather gloves).

Saldana & Valdes, Saldana Place 453, Stop 24½, Santurce, P.R.; effective 5-27-59 to 11-26-59; 1 learner for plant expansion purposes in the occupation of ozalid operator for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (ozalid products).

Steer Leather Goods Corp., Caguas Industrial Center, Caguas, P.R.; effective 5-28-59 to 11-27-59; 6 learners for plant expansion purposes in the occupations of: (1) sewing machine operator for a learning period of 320 hours at the rates of 43 cents an hour for the first 160 hours and 50 cents an hour for the remaining 160 hours; (2) creasing machine operator, cutting machine operator, embossing machine operator, each for a learning period of 160 hours at the rate of 43 cents an hour (billfolds and wallets).

Youthful Corp., 318 Carpenter Road, Hato Rey, P.R.; effective 6-11-59 to 6-10-60; 5 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (girdles and panty girdles).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at submini-

mum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER, pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 1st day of July 1959.

MILTON BROOKE,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 59-5822; Filed, July 14, 1959; 8:46 a.m.]

## LEARNER EMPLOYMENT CERTIFICATES

### Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), Administrative Order No. 485 (23 F.R. 200) and Administrative Order No. 507 (23 F.R. 2720), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11; as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

ABC Manufacturing Co., Inc., 331 Main Street, Lilly, Pa.; effective 7-2-59 to 7-1-60 (children's slips, pajamas).

Bay Slacks, Inc., Bay Minette, Ala.; effective 7-1-59 to 6-30-60 (men's dress slacks).

Burro Manufacturing Co., 105 East Markham Street, Little Rock, Ark.; effective 7-11-59 to 7-10-60 (industrial work clothes).

Fountain Hill Underwear Mills, 477 Lehigh Avenue, Palmerton, Pa.; effective 6-30-59 to 6-29-60 (ladies' and girls' knitted sportswear).

Joseph Greenberg, Inc., 133 North Poplar Street, Elizabethtown, Pa.; effective 7-1-59 to 6-30-60 (children's dresses).

Helmer Manufacturing Division, Willmer Fashion Co., Inc., Ore Street, Bowmanstown, Pa.; effective 7-1-59 to 6-30-60 (women's and misses' dresses).

Pioneer Manufacturing Co., Inc., 83 Wal-  
ter Street, Wilkes-Barre, Pa.; effective 7-15-59  
to 7-14-60 (children's dresses).

Williamson-Dickie Manufacturing Co.,  
Bainbridge, Ga.; effective 6-30-59 to 6-29-60  
(men's and boys' cotton work pants).

Mitchell Garment Co., Inc., 119 Third  
Street, Farmville, Va.; effective 7-14-59 to  
7-13-60; 5 learners for normal labor turnover  
purposes (children's wash dresses).

Iva Manufacturing Co., Inc., Iva, S.C.;  
effective 7-5-59 to 1-4-60; 10 learners for  
plant expansion purposes (ladies' blouses and  
dresses).

Kahn Manufacturing Co., Inc., 150 North  
Royal Street, Mobile, Ala.; effective 7-6-59  
to 1-5-60; 25 learners for plant expansion  
purposes (men's and boys' trousers).

**Cigar Industry Learner Regulations**  
(29 CFR 522.1 to 522.11, as amended, and  
29 CFR 522.80 to 522.85, as amended).

Bayuk Cigars, Inc., Second and Washing-  
ton Streets, Steelton, Pa.; effective 7-6-59 to  
1-5-60; 90 learners for plant expansion  
purposes.

**Glove Industry Learner Regulations**  
(29 CFR 522.1 to 522.11, as amended, and  
29 CFR 522.60 to 522.66, as amended).

Wells Lamont Corp., McGehee, Ark.; effec-  
tive 6-29-59 to 9-13-59; 10 percent of the  
total number of factory production workers  
for normal labor turnover purposes (replace-  
ment certificate) (leather work gloves).

**Hosiery Industry Learner Regulations**  
(29 CFR 522.1 to 522.11, as amended, and  
29 CFR 522.40 to 522.44, as amended).

Efland Knitting Co., Efland, N.C.; effective  
7-3-59 to 7-2-60; 5 learners for normal labor  
turnover purposes (full-fashioned).

Pittsboro Seamless Knitting Division,  
Pittsboro, N.C.; effective 7-6-59 to 7-5-60; 5  
percent of the total number of factory pro-  
duction workers for normal labor turnover  
purposes (ladies' seamless).

**Knitted Wear Industry Learner Regu-  
lations** (29 CFR 522.1 to 522.11, as  
amended, and 29 CFR 522.30 to 522.35,  
as amended).

Stamford Knitting Mills of N.C., Inc., Wil-  
grove Rd., Mint Hill, Charlotte, N.C.; effec-  
tive 7-6-59 to 7-5-60; 2 learners for normal  
labor turnover purposes (sweaters).

**Regulations Applicable to the Employ-  
ment of Learners** (29 CFR 522.1 to 522.11,  
as amended).

Michaels, Stern & Co., Inc., 204 Liberty  
Street, Penn Yan, N.Y.; effective 7-7-59 to  
1-6-60; 15 learners for plant expansion pur-  
poses in the occupations of sewing machine  
operator, hand sewer, final pressing, and fin-  
ishing operations involving hand sewing,  
each for a learning period of 480 hours at  
the rates of at least 90 cents an hour for the  
first 280 hours and not less than 95 cents an  
hour for the remaining 200 hours (men's  
suits, sportcoats, warmers).

Palm Beach Co., Danville, Ky.; effective  
7-5-59 to 1-4-60; 5 percent of the total num-  
ber of factory production workers for normal  
labor turnover purposes in the occupation of  
sewing machine operator for a learning peri-  
od of 480 hours at the rates of at least 90  
cents an hour for the first 280 hours and not  
less than 95 cents an hour for the remaining  
200 hours (men's coats).

Sparta Pipes, Inc., Sparta, N.C.; effective  
6-30-59 to 12-29-59; 10 percent of the total  
number of factory production workers for  
normal labor turnover purposes, the single  
occupation of basic hand and machine op-  
erations for a learning period of 240 hours  
at the rate of 90 cents an hour (briarwood  
smoking pipes, cigar and cigarette holders).

The following learner certificates were  
issued in Puerto Rico to the companies  
hereinafter named. The effective and  
expiration dates, learner rates, occupa-  
tions, learning periods, and the number  
or proportion of learners authorized to be  
employed, are as indicated.

Caribe General Electric, Inc., Palmer, P.  
R.; effective 6-10-59 to 12-9-59; 36 learners  
for plant expansion purposes in the occu-  
pations of: (1) welders, power press op-  
erators, calibrators, molders, each for a learn-  
ing period of 480 hours at the rates of 80

cents an hour for the first 240 hours and 90  
cents an hour for the remaining 240 hours;  
(2) assemblers, inspectors, plastic finishers,  
platers, stampers, drillers, each for a learn-  
ing period of 240 hours at the rate of 80  
cents an hour; (3) grinders, for a learning  
period of 160 hours at the rate of 80 cents  
an hour (electrical products).

Continental Products, Inc., Camuy, P.R.;  
effective 5-29-59 to 5-28-60; 5 learners for  
normal labor turnover purposes in the occu-  
pations of blanking, punching, stamping,  
mirror polishing, hollow grinding, heat treat-  
ing, swedging, serrating, fine edging, tool  
and die making, handle shaping, handle  
slotting, handle drilling, assembly riveting,  
handle sanding, handle polishing, handle  
topping, each for a learning period of 480  
hours at the rates of 75 cents an hour for  
the first 240 hours and 88 cents an hour for  
the remaining 240 hours (cutlery manufac-  
turing).

Each learner certificate has been  
issued upon the representations of the  
employer which, among other things,  
were that employment of learners at sub-  
minimum rates is necessary in order to  
prevent curtailment of opportunities for  
employment, and that experienced work-  
ers for the learner occupations are not  
available. The certificates may be an-  
nulled or withdrawn, as indicated  
therein, in the manner provided in Part  
528 of Title 29 of the Code of Federal  
Regulations. Any person aggrieved by  
the issuance of any of these certificates  
may seek a review or reconsideration  
thereof within fifteen days after publi-  
cation of this notice in the **FEDERAL  
REGISTER** pursuant to the provisions of  
29 CFR 522.9.

Signed at Washington, D.C., this 7th  
day of July 1959.

MILTON BROOKE,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 59-5823; Filed, July 14, 1959;  
8:46 a.m.]

## CUMULATIVE CODIFICATION GUIDE—JULY

A numerical list of the parts of the Code of Federal Regulations affected by documents published  
to date during July. Proposed rules, as opposed to final actions, are identified as such.

3 CFR	Page	7 CFR—Continued	Page	7 CFR—Continued	Page
<i>Proclamations:</i>		863.....	5364	<i>Proposed rules—Continued</i>	
3301.....	5327	904.....	5329	961.....	5479
<i>Executive orders:</i>		909.....	5626	963.....	5491
Feb. 17, 1843.....	5575	922.....	5411, 5593	973.....	5614
<b>5 CFR</b>		934.....	5329	975.....	5645
6.....	5485, 5561, 5593, 5623	936.....	5330, 5331, 5461-5465, 5595-5597	989.....	5577
25.....	5327	953.....	5413, 5466, 5598	992.....	5614
325.....	5357	957.....	5413	993.....	5509
<b>6 CFR</b>		959.....	5599	<b>8 CFR</b>	
10.....	5329	973.....	5414	502.....	5525
421.....	5437	990.....	5331	<b>9 CFR</b>	
464.....	5669	992.....	5414	78.....	5532
<b>7 CFR</b>		1020.....	5686	<i>Proposed rules:</i>	
51.....	5357, 5684	1022.....	5687	131.....	5615
52.....	5363	<i>Proposed rules:</i>		<b>10 CFR</b>	
301.....	5561, 5686	52.....	5372	<i>Proposed rules:</i>	
330.....	5363	53.....	5478	20.....	5551
728.....	5437	55.....	5421	<b>13 CFR</b>	
730.....	5623	906.....	5549	121.....	5628
813.....	5329	925.....	5372, 5491		
845.....	5363	933.....	5391		
		957.....	5614		
		960.....	5645		

14 CFR	Page	24 CFR	Page	43 CFR—Continued	Page
4b.....	5629, 5688	221.....	5636	<i>Public land orders:</i>	
10.....	5629, 5688			19.....	5420
20.....	5485, 5634	<b>25 CFR</b>		1045.....	5418
40.....	5629, 5687, 5688	46.....	5566	1086.....	5418
41.....	5415, 5629, 5687, 5688	221.....	5367, 5539	1885.....	5371
42.....	5629, 5687, 5688	<b>26 (1954) CFR</b>		1886.....	5371
43.....	5629, 5687, 5688	1.....	5368	1887.....	5418
60.....	5687, 5688	240.....	5539, 5689	1888.....	5418
221.....	5564	253.....	5636	1889.....	5419
235.....	5600	<b>29 CFR</b>		1890.....	5419
241.....	5603	681.....	5466	1891.....	5420
507.....	5415, 5534, 5634	<b>31 CFR</b>		1892.....	5420
514.....	5534, 5635	100.....	5489	1893.....	5575
600.....	5336	270.....	5605	1894.....	5575
601.....	5336	<b>32 CFR</b>		1895.....	5638
602.....	5336	836.....	5568	1896.....	5638
609.....	5337, 5341, 5467	875.....	5333		
1221.....	5688	1001.....	5671	<b>46 CFR</b>	
<i>Proposed rules:</i>		1452.....	5490	33.....	5544
40.....	5424	1453.....	5490	78.....	5544
41.....	5424	<b>33 CFR</b>		97.....	5544
42.....	5424	60.....	5605	160.....	5545
43.....	5613	62.....	5605	167.....	5548
241.....	5509	64.....	5607	172.....	5610
242.....	5510	66.....	5607	<i>Proposed rules:</i>	
507.....	5659	68.....	5607	201—380.....	5422
<b>15 CFR</b>		70.....	5608		
230.....	5332	72.....	5608	<b>47 CFR</b>	
371.....	5535	74.....	5608	2.....	5611
373.....	5535	202.....	5369	9.....	5575
379.....	5535	203.....	5345, 5369, 5467	11.....	5637
381.....	5535	205.....	5610	<i>Proposed rules:</i>	
382.....	5535	<b>36 CFR</b>		7.....	5346
385.....	5535	13.....	5335	8.....	5346
<b>16 CFR</b>		20.....	5335	10.....	5660
13.....	5366, 5416, 5417, 5467, 5487, 5488, 5537, 5538, 5565, 5566, 5603, 5604	<b>38 CFR</b>		11.....	5660
<b>17 CFR</b>		3.....	5369	16.....	5660
250.....	5489	36.....	5370		
<b>19 CFR</b>		<b>39 CFR</b>		<b>49 CFR</b>	
1.....	5366	111.....	5610	72.....	5639
2.....	5366	161.....	5610	73.....	5639
17.....	5489	168.....	5467, 5490	74.....	5641
31.....	5367	<b>42 CFR</b>		77.....	5643
<b>21 CFR</b>		401.....	5335	78.....	5643
1.....	5367	<i>Proposed rules:</i>		132.....	5576
146a.....	5538	400.....	5345	156.....	5469
<i>Proposed rules:</i>		401.....	5345	170.....	5548
46.....	5391	<b>43 CFR</b>		<b>50 CFR</b>	
53.....	5511	<i>Proposed rules:</i>		104.....	5491, 5549, 5644, 5689
120.....	5345, 5423, 5550	115.....	5577	107.....	5576
130.....	5391			111.....	5335
				112.....	5335
				351.....	5645